Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/18/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 683 (YEMEN)**

- Subject ARB was held on 20 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Transfer) _____

(b)(5) Detain _____ Release _____

Attachments: 2-1-08

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

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(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 683

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation that the EC refused to accept delivery of the copies from the JDG.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. (U) **Travel**

(b)(7)(A)

c. (U) **Training**

(b)(5)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(ii) (U) According to a daily publication, ISN 10016 was a Palestinian fundamentalist in charge of Usama bin Laden's camps. ISN 10016 decided who was to be accepted and who was to be rejected. The publication reported ISN 10016 was in charge of the financial expenses of the camps. ISN 10016 was also

in charge of making the travel arrangements of the brothers who were either going to the camps or returning to their countries of origin. (DMO-3)

(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1)

(b)(5)

d. ~~(S//NF)~~ **Recommendation.**

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

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ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/5/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 684 (WEST BANK)**

- Subject ARB was held on 28 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 2-28

(b)(5 Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 684

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

b. **(U) Recruitment**

(b)(1),(b)(7)(A)

c. **(U) Travel**

(b)(1),(b)(7)(A)

d. **(U) Training**

(b)(1)

e. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

f. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Individual Affiliations**

(b)(7)(A)

(b)(1),(b)(7)(A)

(a) (U) Hamas was formed in late 1987 as an outgrowth of the Muslim Brotherhood. Hamas elements have used both political and violent means, including terrorism, to pursue the goal of establishing an Islamic Palestinian state in place of Israel. Hamas's strength is concentrated in the Gaza Strip and the West Bank. (DMO-2)

h. (U) **Behavior**

(b)(5)

i. (U) **Other Information**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

j. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

4. (U) **Third Party / Home Country Statements**

a. (U) The EC is a citizen of the West Bank. No third party or home country statements were provided.

5. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

6. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration** (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

7. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

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1010 Defense Pentagon, Washington, D.C. 20301-1010

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ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10 Nov 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 685 (ALGERIA)**

- Subject ARB was held on 19 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) Detain) 11-13
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 685

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. **(U) Recruitment**

(b)(5)

b. **(U) Travel**

(b)(1)

c. **(U) Training**

(b)(1)

(b)(1)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1)

(b)(5)

(b)(1),(b)(7)(A)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5)

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 685, herein enclosed as Enclosure (4). There were no other matters submitted on behalf of ISN 685.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

(b)(5)

(b)(1)

(b)(1)

(b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
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at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

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ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 11/29/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 686 (YEMEN)**

- Subject ARB was held on 24 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Value:
  - Intelligence Value:
  - Other Factors:

  (b)(5)

- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) Detain) 11-29
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 686

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. No new exhibits were introduced since last year's ARB:

a. (U) **Recruitment**

(b)(5)

b. (U) **Travel**

(b)(1),(b)(7)(A)

(b)(5)

(b)(1),(b)(7)(D)

c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

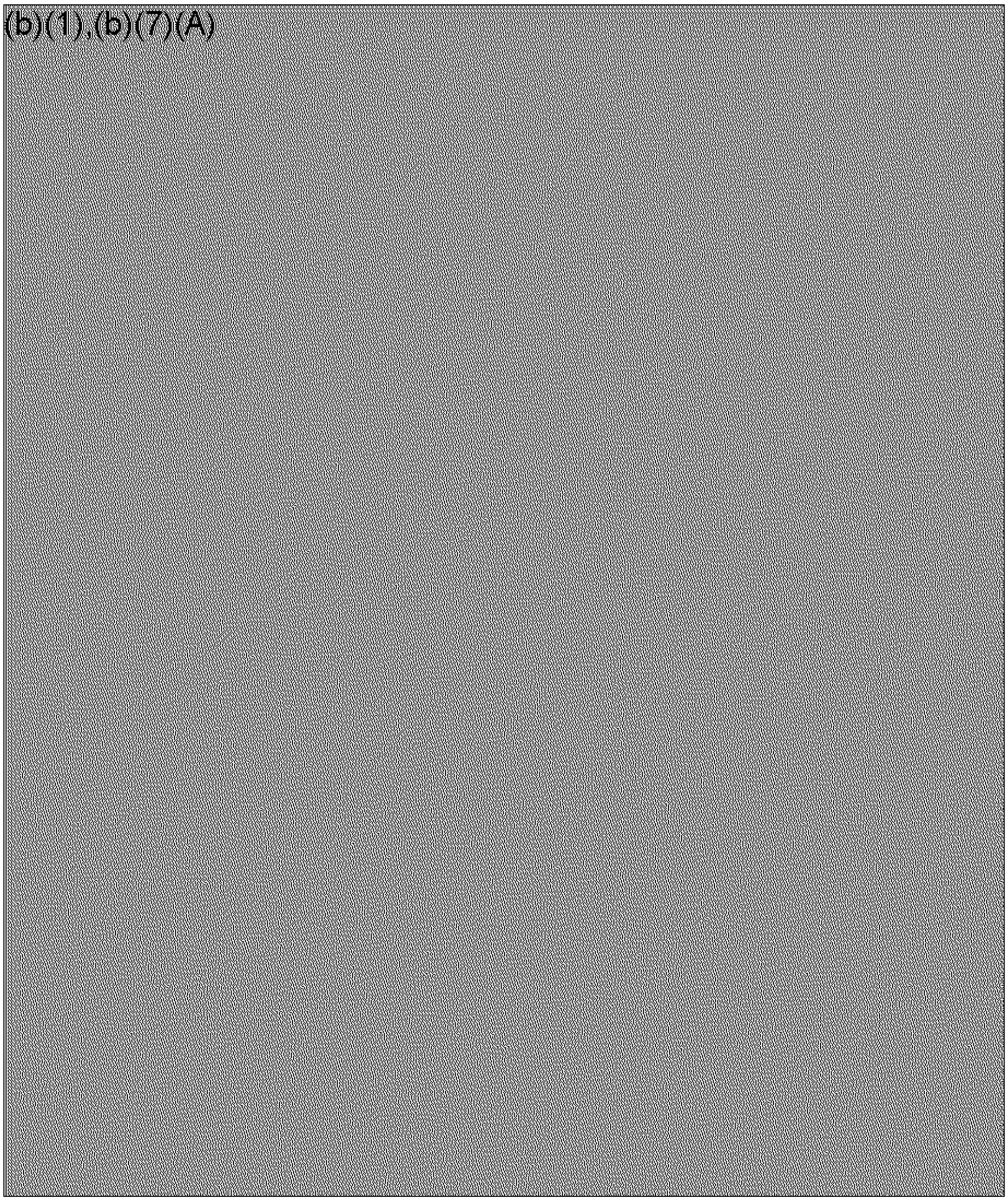
h. (U) **Other Information**

(b)(1),(b)(5),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(5),(b)(7)(A)

(b)(1),(b)(7)(A)



5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 686, herein enclosed as Enclosure (4). There were no other matters submitted on behalf of ISN 686.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/24/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 687 (Saudi Arabia)**

- Subject ARB was held on 22 Jan 08 resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) _____ 2-20

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 687

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process. A copy of the Unclassified Summary of Evidence, English and Arabic translated, were offered to the EC, but he refused to accept the documents.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) Recruitment

(b)(1),(b)(5)

b. (U) Travel

(b)(1),(b)(5),(b)(7)(A)

c. (U) **Training**

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(5)

(a) (U) Department of Homeland Security (DHS) reported that LT is the armed wing of a Pakistan-based religious organization, Markaz-ud-Dawa-wal-irshad, a Sunni anti-U.S. missionary organization formed in 1989. (DMO-2)

(b)(1),(b)(5)

(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

ISN 687
Enclosure (5)
Page 5 of 8

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Saudi Arabia. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 687, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 687.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(5)

(b)(1)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 Nov 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 688 (YEMEN)**

- Subject ARB was held on 5 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)

(b)(5) Detain) 11-6-07

(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 688

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) **Recruitment**

(b)(1),(b)(7)(D)

b. (U) **Travel**

(b)(1),(b)(5)

c. (U) **Training**

(b)(1)

(b)(1),(b)(7)(A)

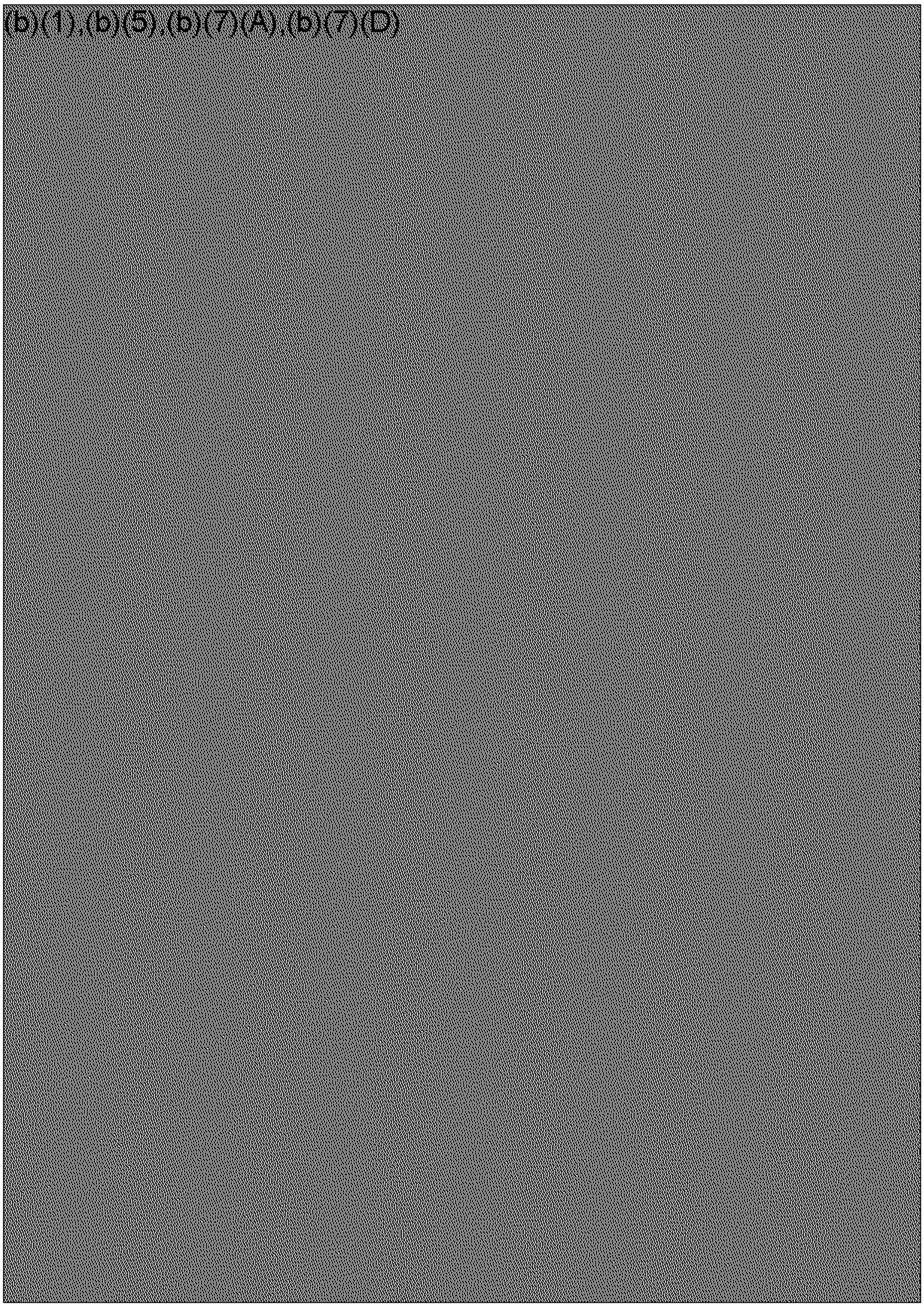
[redacted]

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

[redacted]

(b)(1),(b)(5),(b)(7)(A),(b)(7)(D)



(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5)

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12/24/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 689 (YEMEN)**

- Subject ARB was held on 19 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  -
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) the EC by initialing:

(b)(5) (Detain) 12-7

(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 689

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) Recruitment

(b)(1),(b)(7)(A)

b. **(U) Travel**

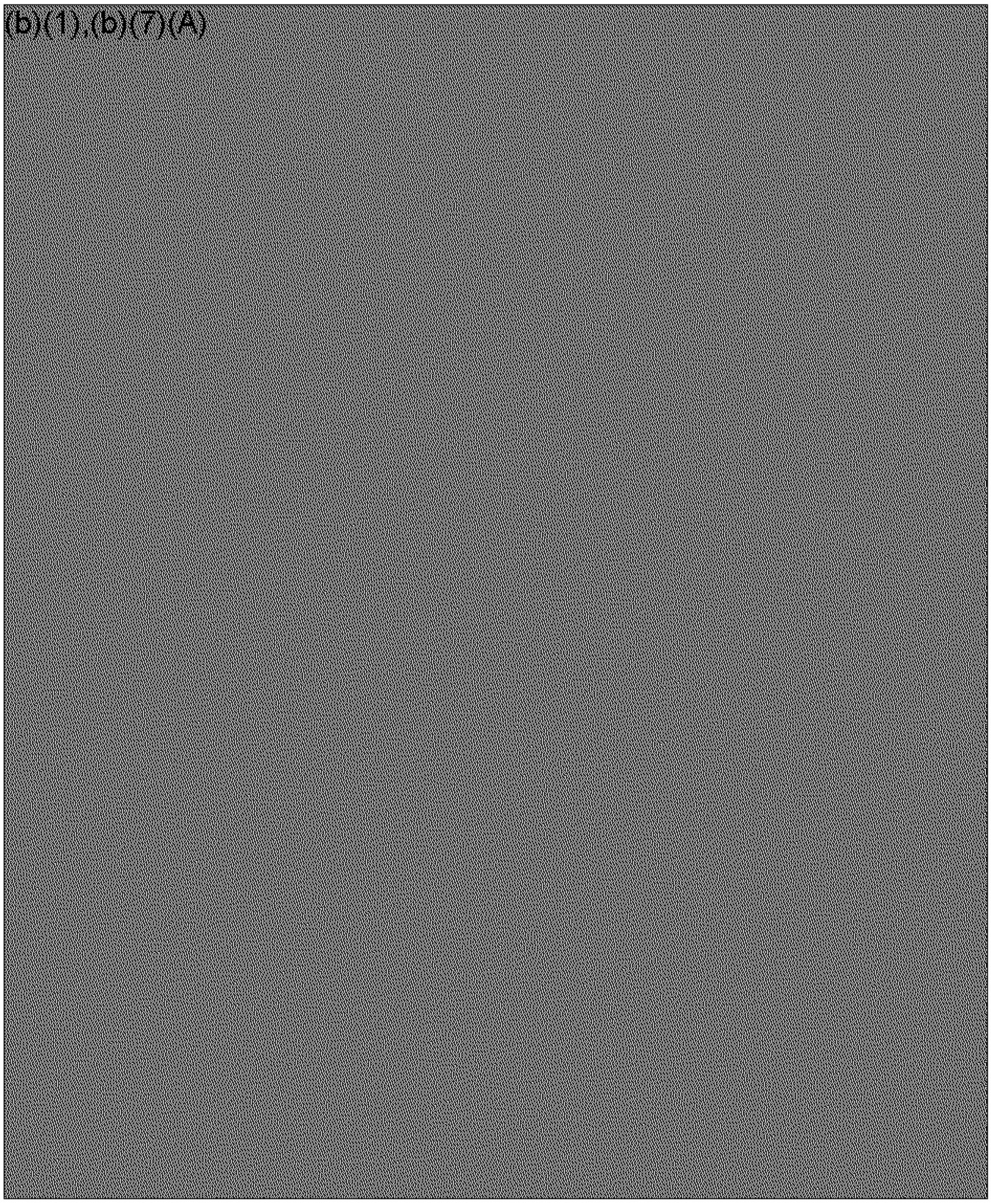
(b)(1),(b)(7)(A)

c. **(U) Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

(b)(5)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(5),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 689, herein enclosed as Enclosure (4). There were no other matters submitted on behalf of ISN 689.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

(b)(5)

(1) ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

ISN 689
Enclosure (5)
Page 9 of 9

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 9/26/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 690 (YEMEN)**

- Subject ARB was held on 26 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) _____ 2-1-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 690

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commission (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

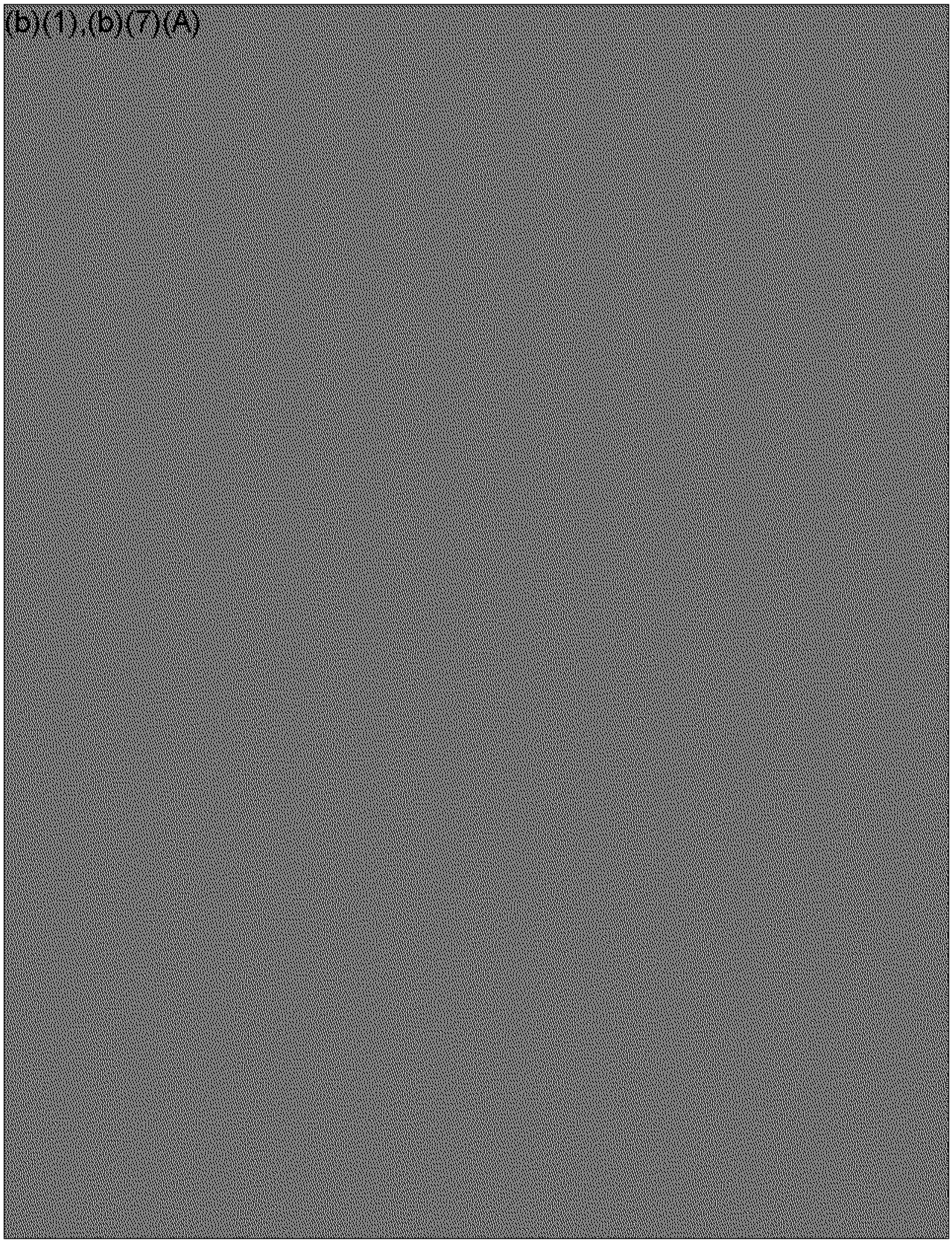
c. **(U) <u>Training</u>**

(b)(1),(b)(7)(A)

d. **(U) <u>Operations, Combat and Capture</u>**

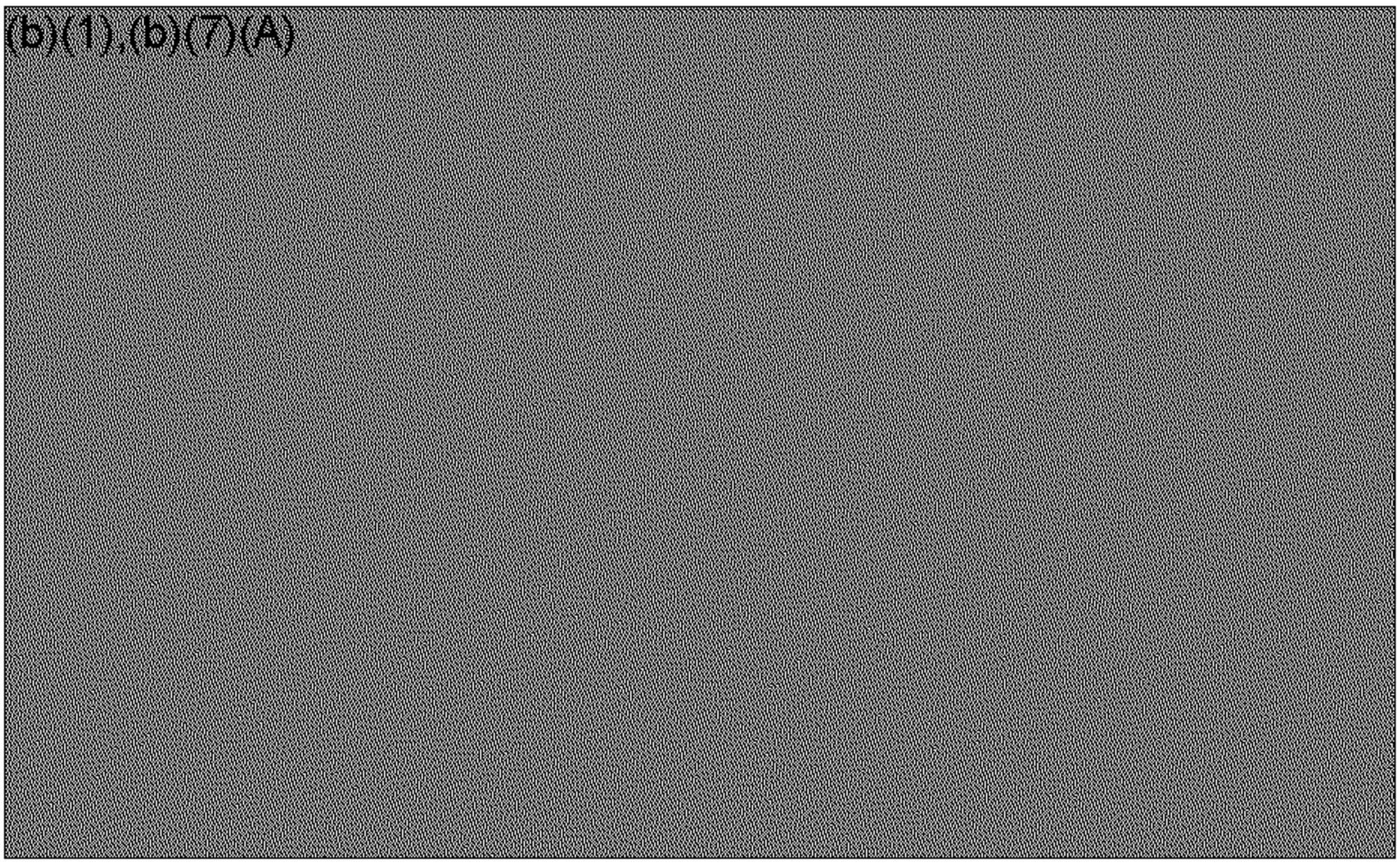
(b)(1)

(b)(1),(b)(7)(A)



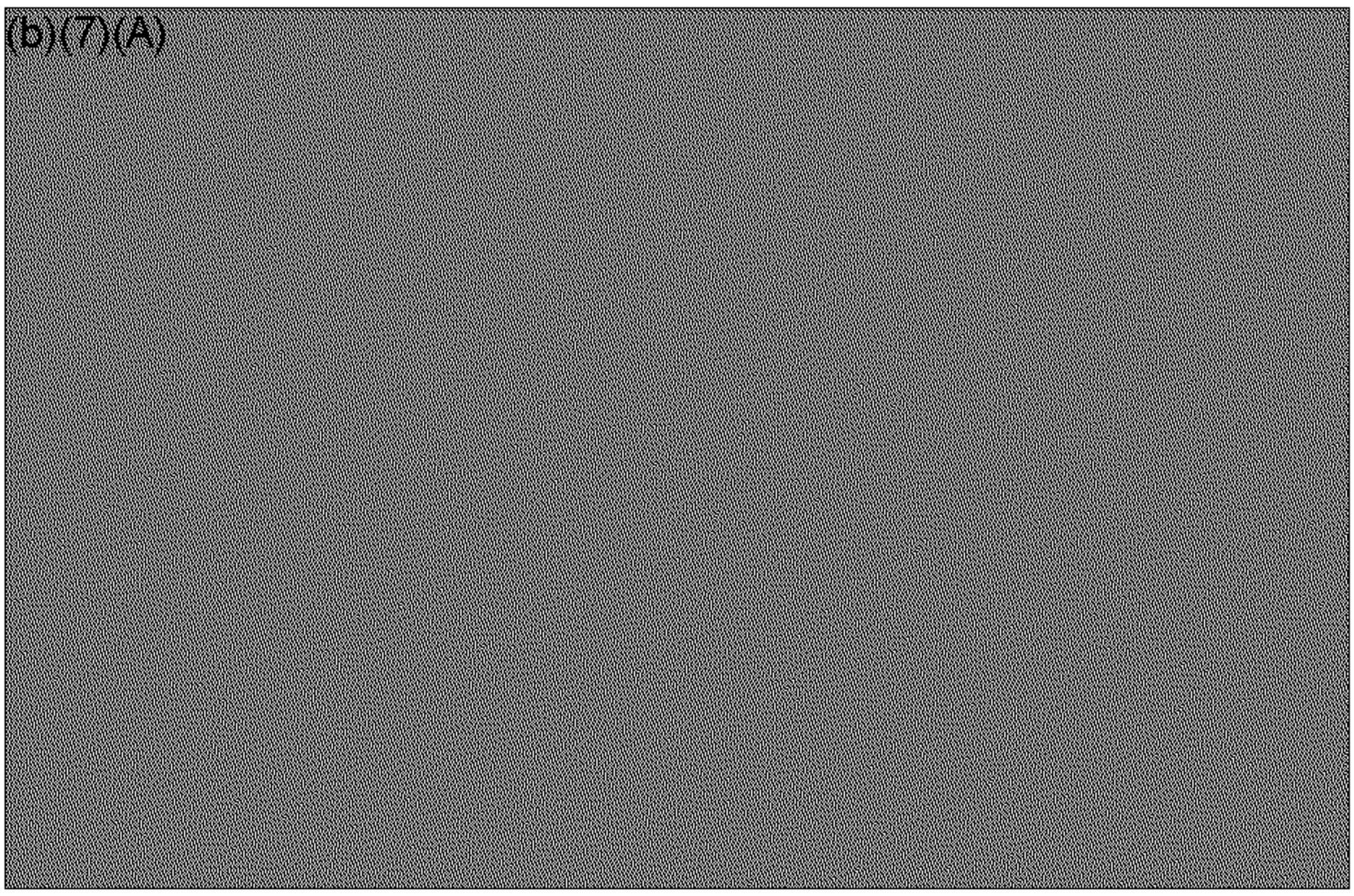
e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

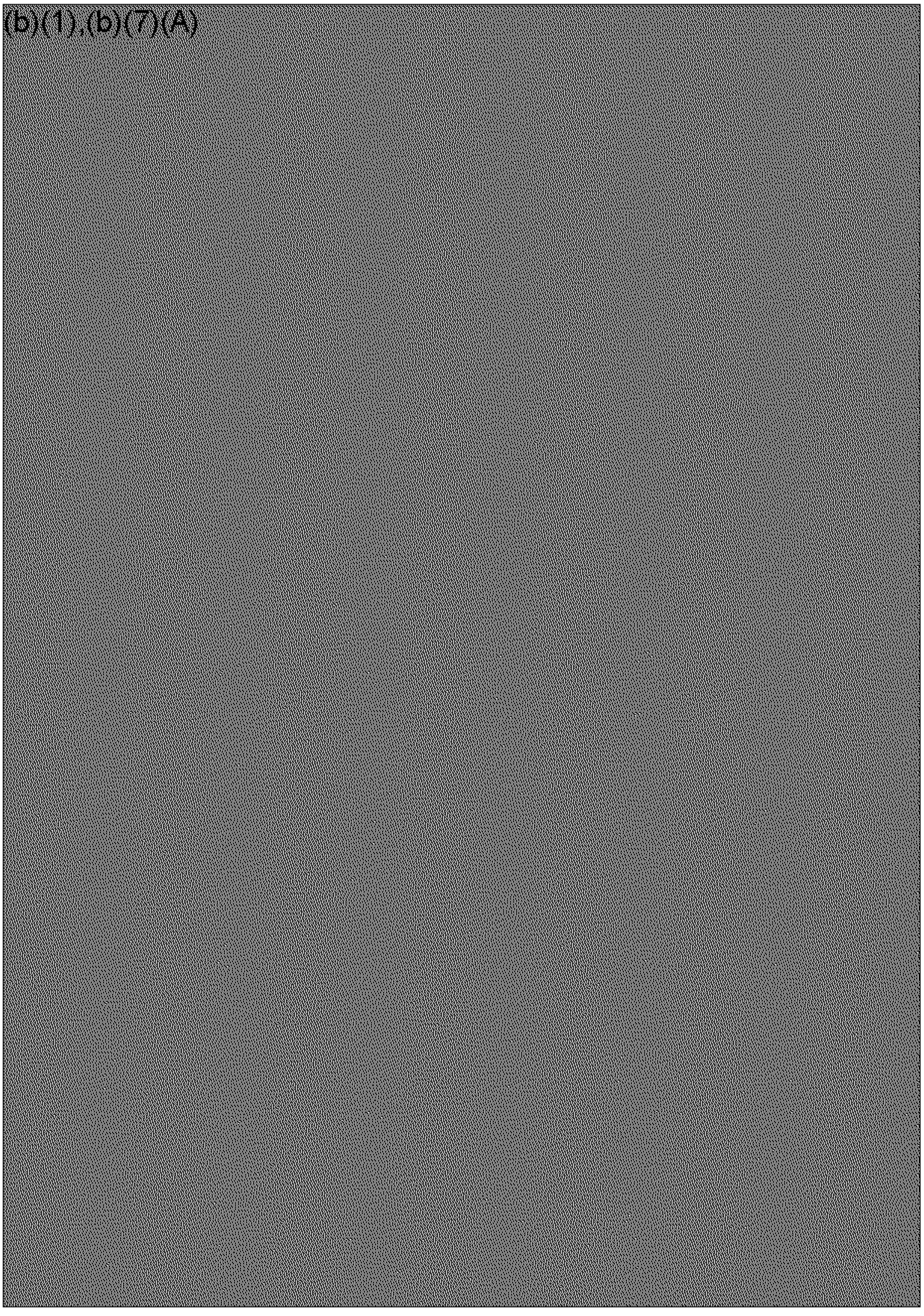


f. (U) **Individual Affiliations**

(b)(7)(A)



(b)(1),(b)(7)(A)



ISN 690
Enclosure (5)
Page 6 of 9

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12/6/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 691 (YEMEN)**

- Subject ARB was held on 19 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) Detain) _____ 12-1

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 691

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(7)(A)

(b)(5)

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

c. **(U) <u>Training</u>**

(b)(5)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1)

(b)(1),(b)(5),(b)(7)(A)

e. **(U) <u>Organizational Affiliations</u>**

(b)(1),(b)(7)(A)

(b)(1)

(b)(5)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 691, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 691.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 4/27/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 692 (YEMEN)**

- Subject ARB was held on 26 April 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO, (b)(5)

(b)(5)

(b)(5) Detain (b)(5)

7-30

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 692

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings, and wanted to respond to each statement of information in the Unclassified Summary after it was presented.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to support jihad, recruitment and travel. All EC testimony and comments are included in enclosure (4).

(b)(1)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(7)(A)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

c. **(U) <u>Training</u>**

(b)(1),(b)(5),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1),(b)(7)(D)

(b)(5)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A),(b)(7)(D)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 3/28/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 694 (Algeria)**

- Subject ARB was held on 22 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 3-7-08

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 694

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) Exhibit EC-A, Notification of CSRT Determination, dated 7 January 2008, constitutes constructive notice of Enemy Combatant Notification of ISN 694, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings, wanted the assistance of the AMO, and wanted to respond to each statement of information in the Unclassified Summary after its presentation. The AMO verbally summarized comments the EC made during the AMO's interview and provided an oral statement made by the EC to the AMO during the interview. This statement is documented in Exhibit EC-B. Two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the EC. The AMO presented written confirmation of delivery to the EC to the JDG.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to each allegation/statement in the Unclassified Summary. The EC answered a series of questions from the ARB, which included inquiries regarding his travels to Afghanistan and Pakistan, his weapons and explosives training, his associations, and his future plans. All EC testimony and comments are included in enclosure (3).

(b)(1)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

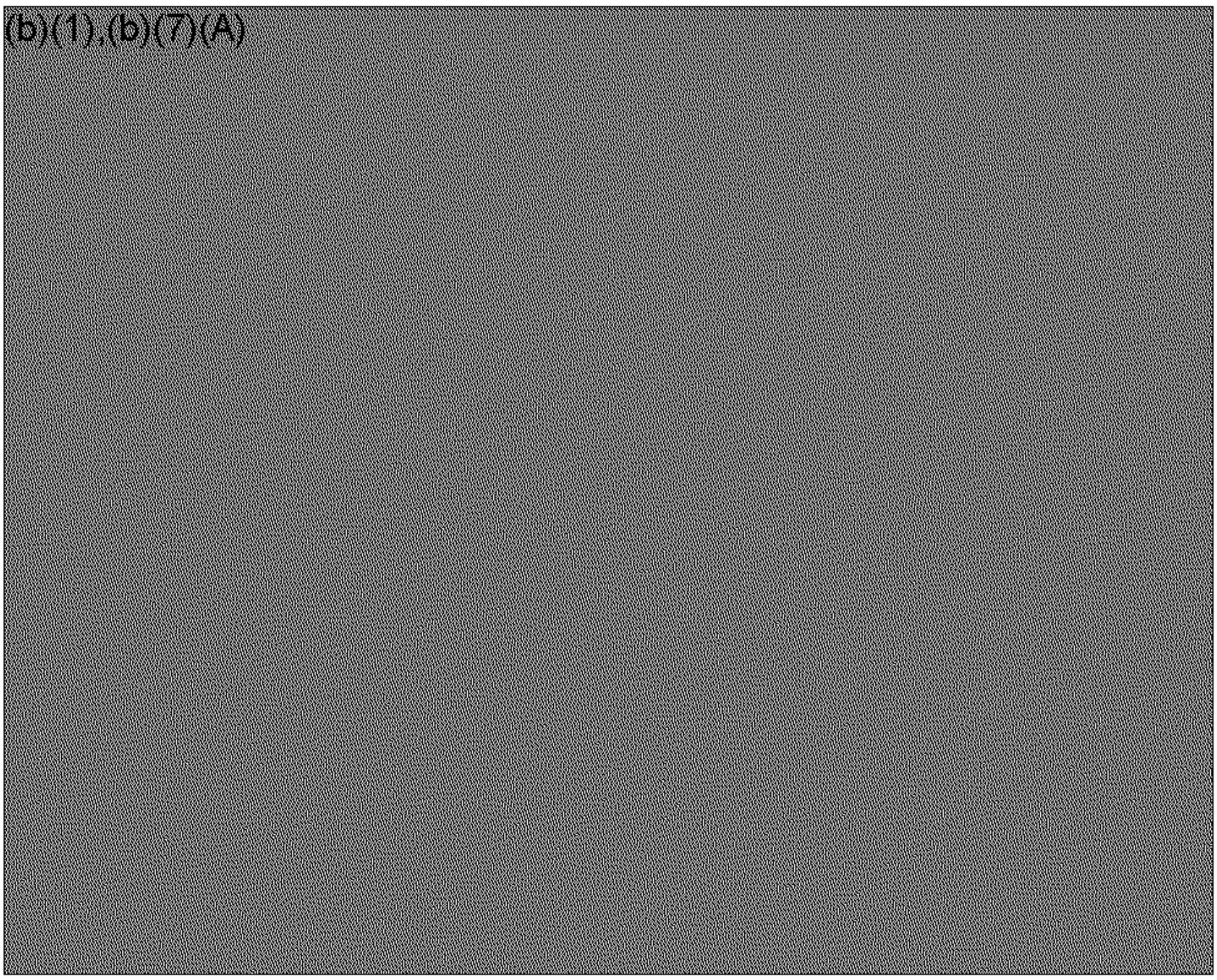
b. (U) **Travel**

(b)(1)

c. (U) **Training**

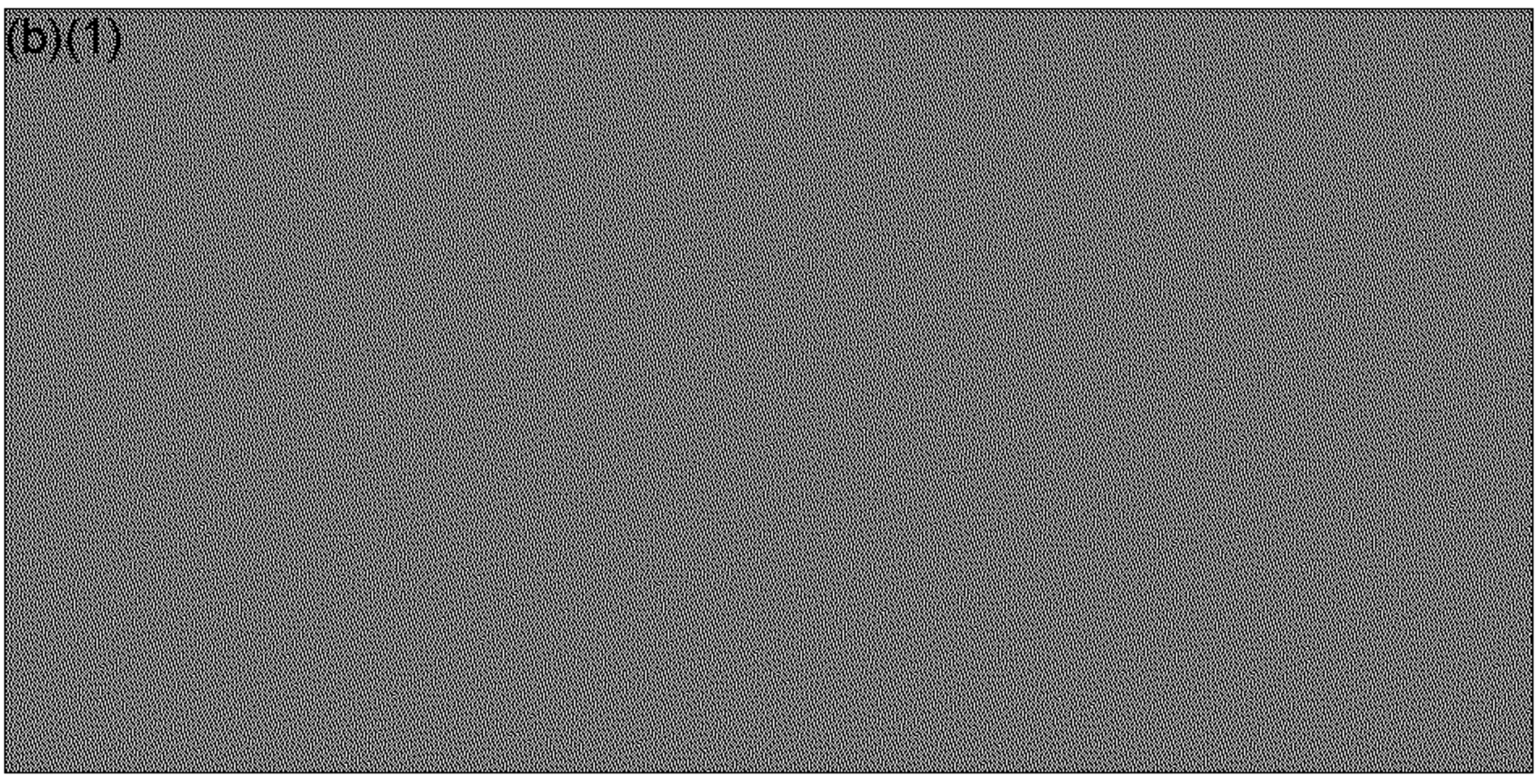
(b)(1)

(b)(1),(b)(7)(A)

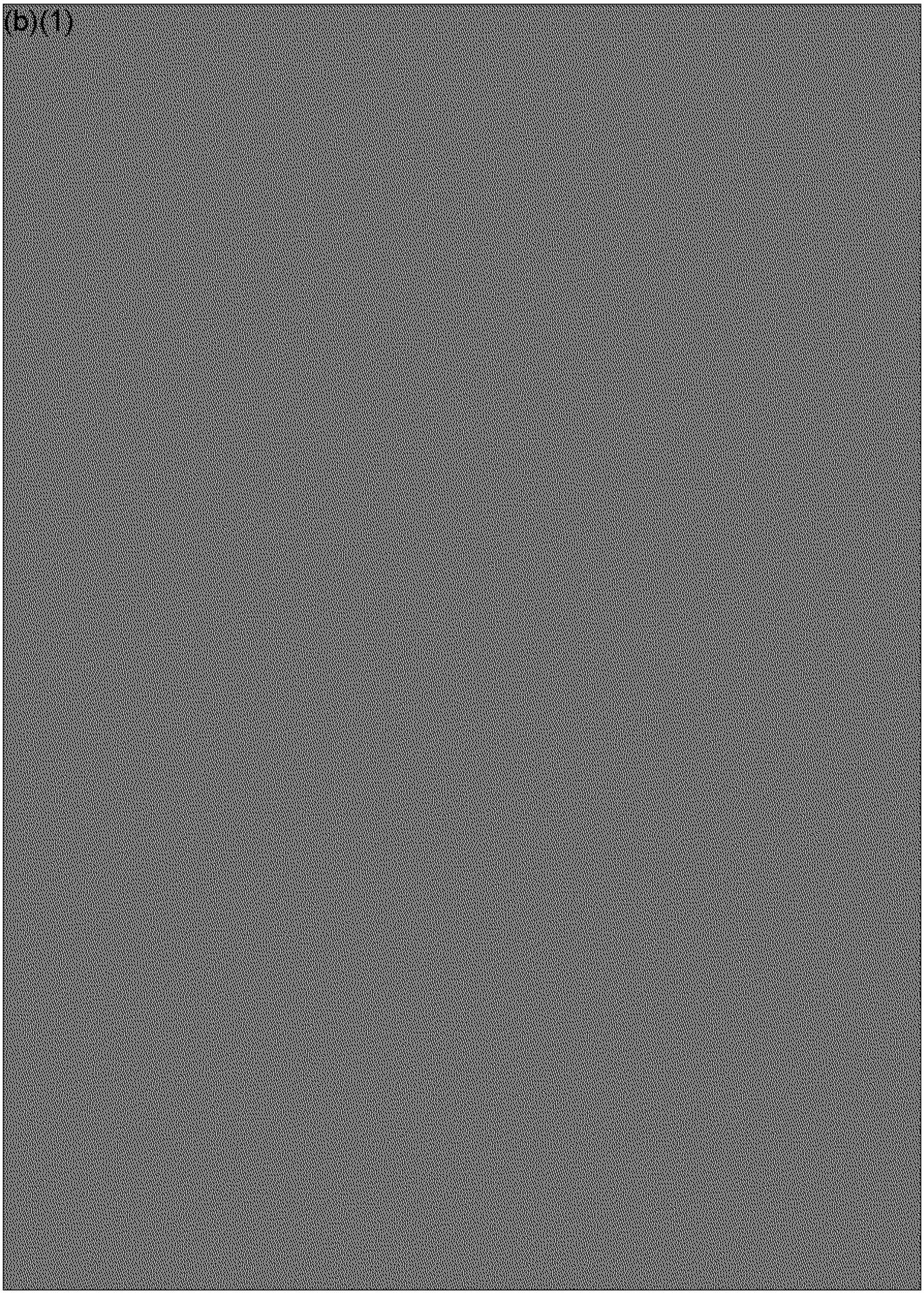


d. (U) **Operations, Combat and Capture**

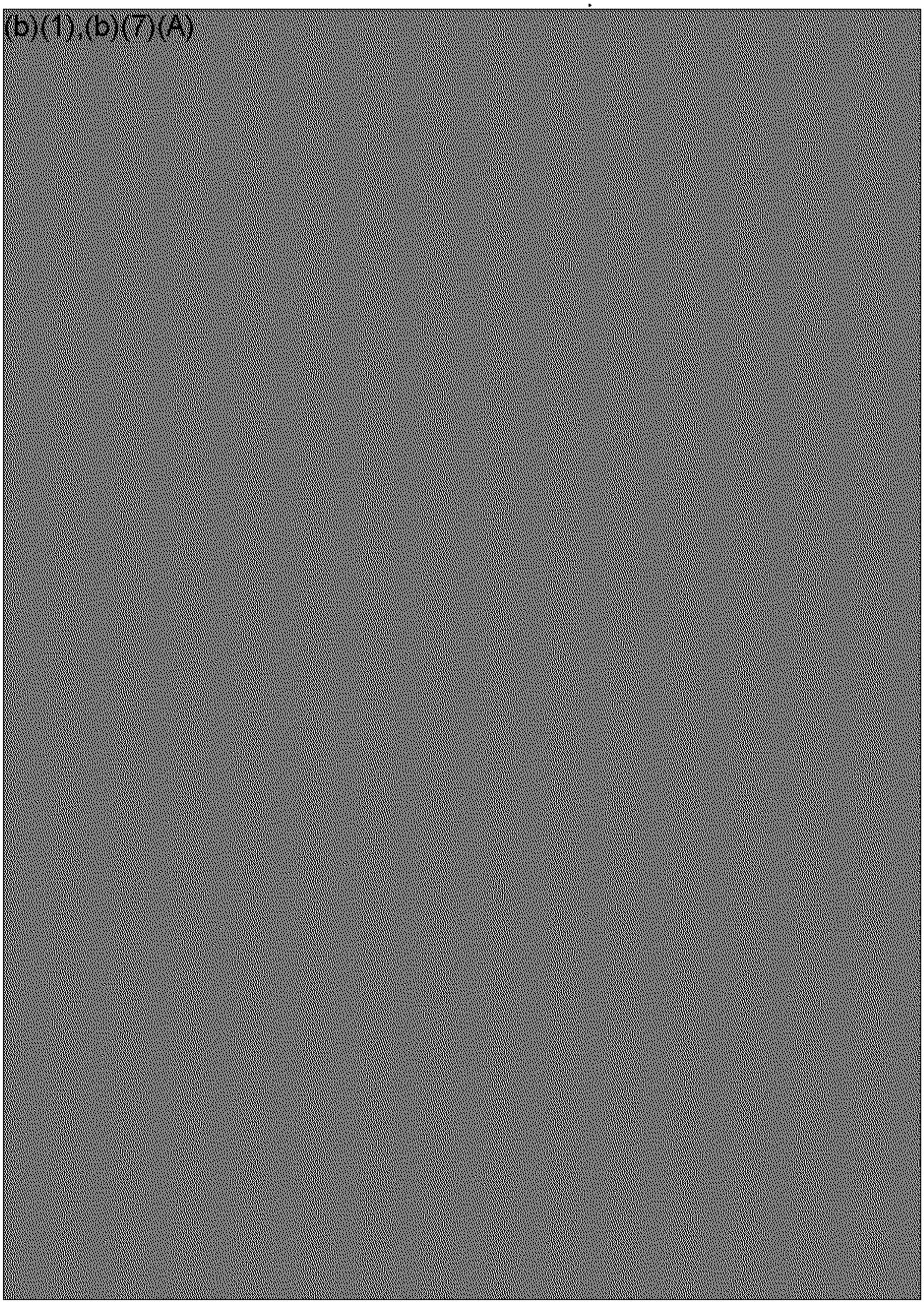
(b)(1)



(b)(1)



(b)(1),(b)(7)(A)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

(b) (U) The Armed Islamic Group is a terrorist organization that aims to overthrow the secular Algerian regime and replace it with an Islamic state. (DMO-2)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 694, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 694..

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. (b)(5)
(b)(5)

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

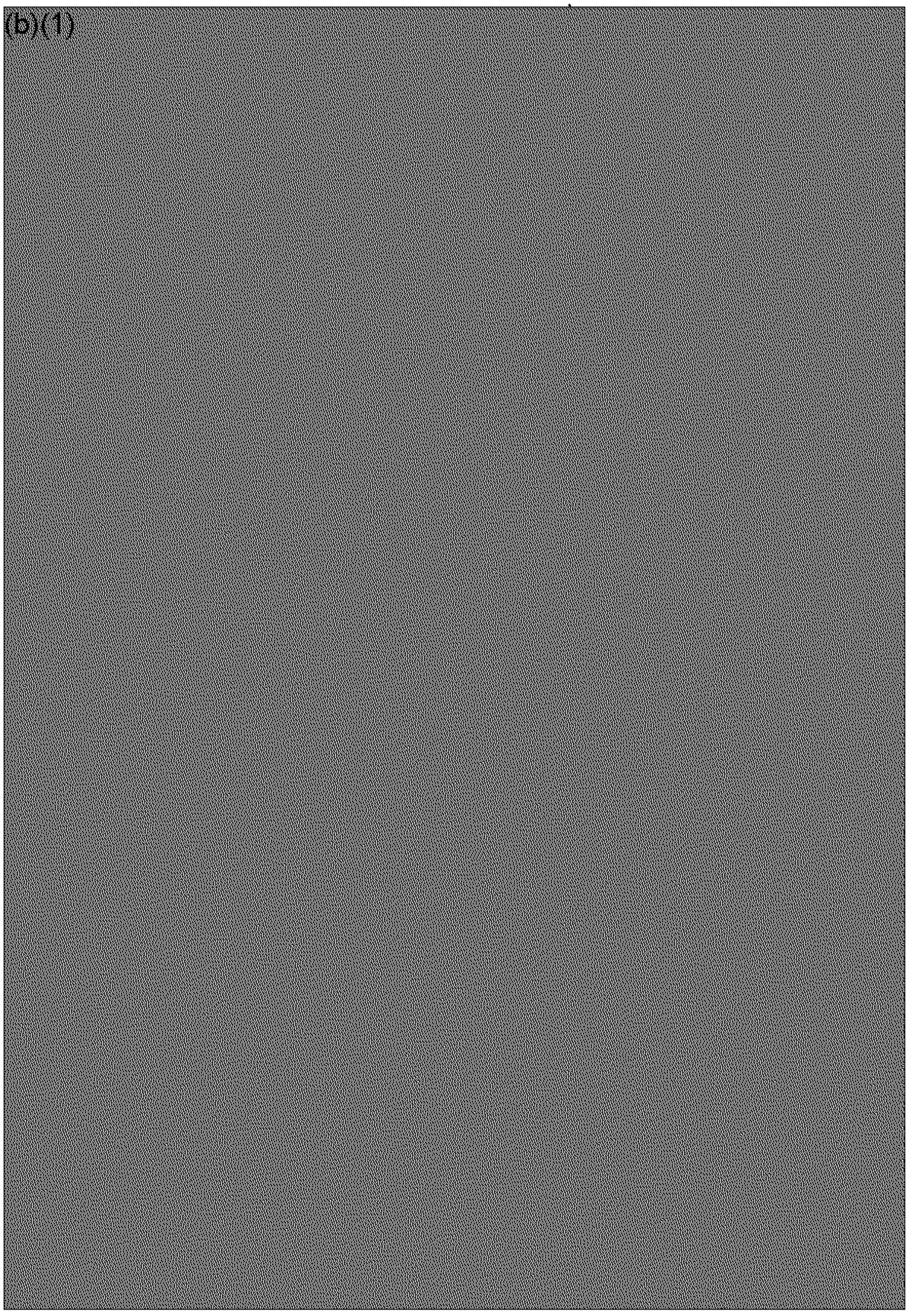
(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

(b)(5)

(b)(1)

(b)(1)



(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b.(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/14/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 695 (LIBYA)**

- Subject ARB was held on 26 Dec 07 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) _____ 2-20

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 695

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) <u>Recruitment</u>**

(b)(1)

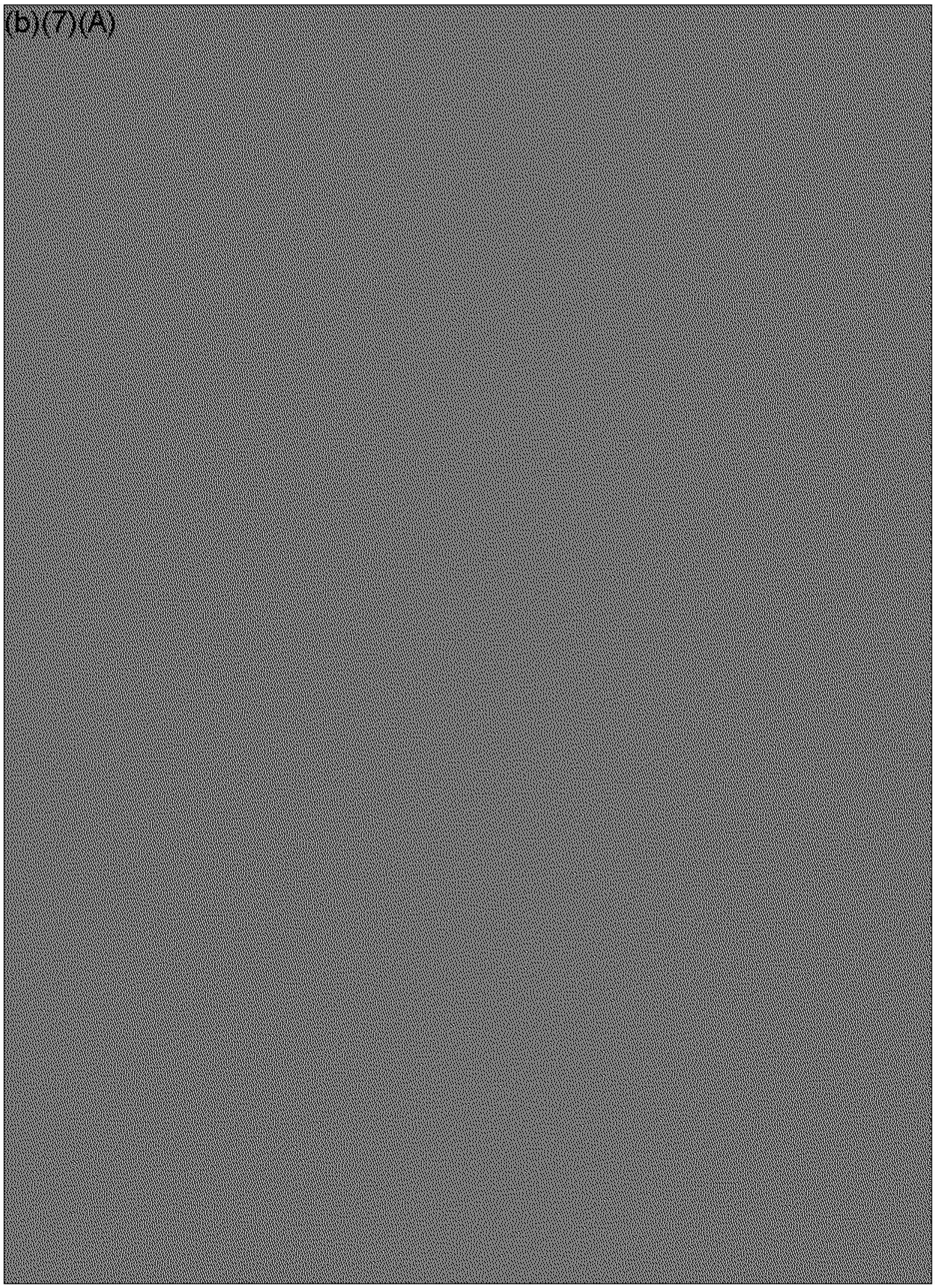
(a) (U) The Libyan Islamic Fighting Group is a terrorist organization that declared the government of Libyan leader Muammar Qadhafi un-Islamic and pledged to overthrow it. Some members are aligned with Usama bin Laden's al Qaida organization or are active in the international Mujahedin network. (DMO-2)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(7)(A)

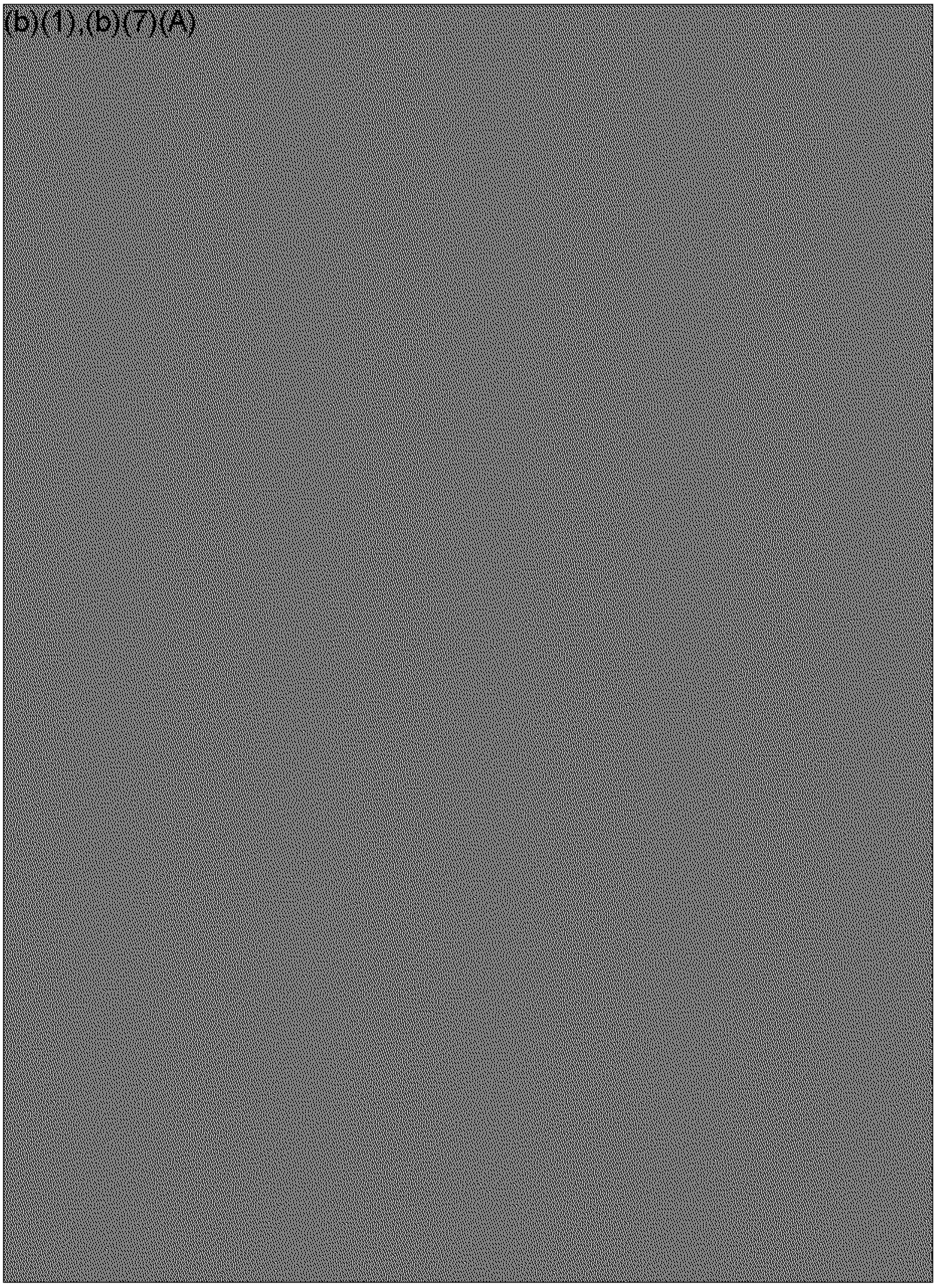


(b)(1)

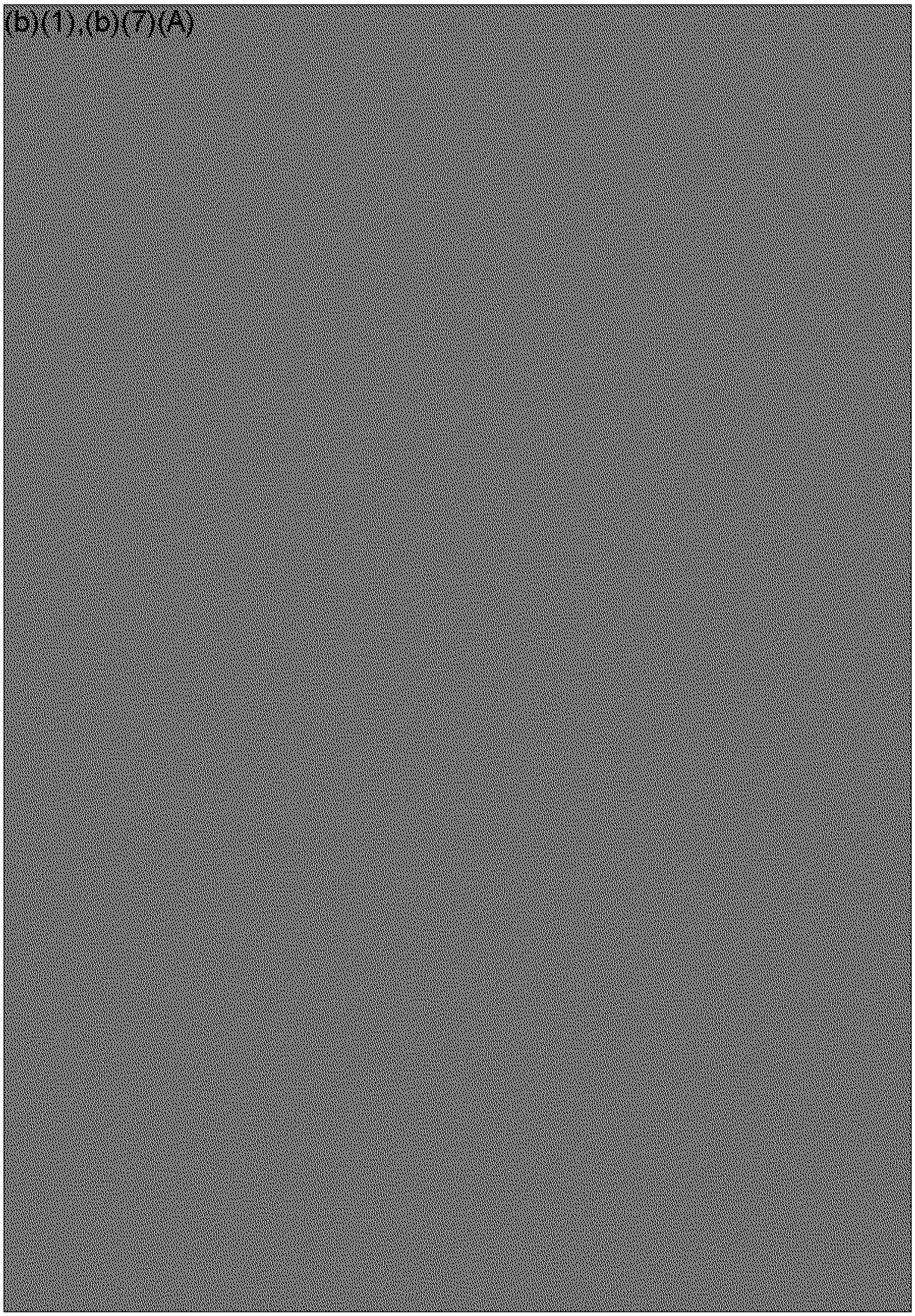
d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

[redacted]

e. (U) **Organizational Affiliations**

(b)(1)

[redacted]

(b)(1)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of**

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. U) The EC is 25 years old and a citizen of Libya. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a [redacted] due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

(b)(5)

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/11/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 696 (SAUDI ARABIA)**

- Subject ARB was held on 18 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 2-25

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 696

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) Exhibit EC-A "Notification of CSRT Determination" dated 7 January 2008, constitutes constructive notice of Enemy Combatant Status Notification of ISN 696, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted at appear personally in the ARB proceedings and wanted the assistance of the Assisting Military Officer.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC stated he would not respond to any of the allegations in the Unclassified Summary and would not respond to any questions from the ARB members. All EC testimony and comments are included in enclosure (4).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation

g. (U) The ARB has complied with the EC Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(7)(A)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

(b)(7)(A)

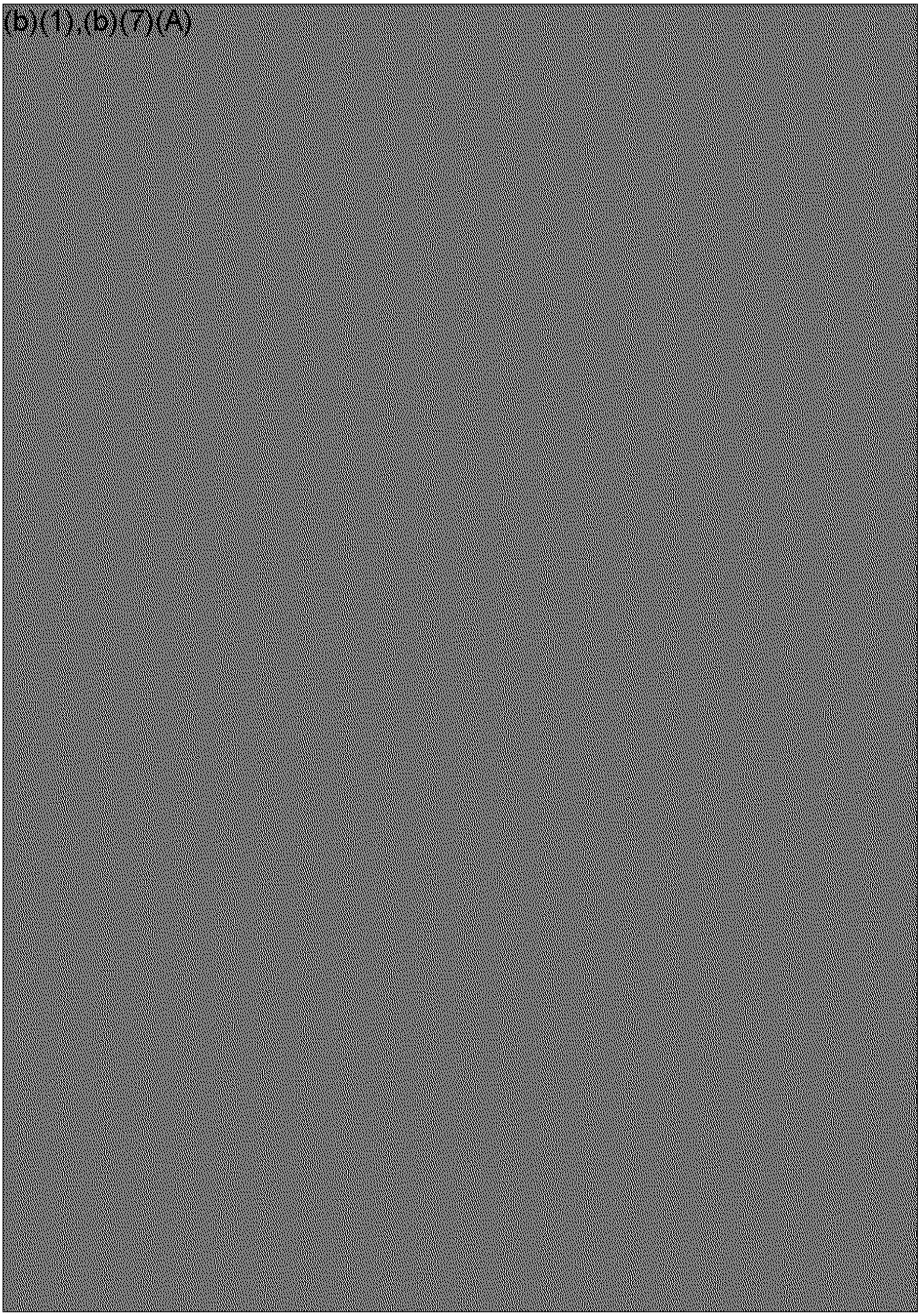
c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

(b)(1)

g.(U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

(8) (U) The EC stated that King Fahd was an infidel. (Enclosure 3)

(9) (U) The EC stated the allegations in the Unclassified Summary were true. (Enclosure 3)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Saudi Arabia. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **EC Treatment Act Consideration.** (b)(5)

(b)(5)

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

ISN 696
Enclosure (5)
Page 9 of 9

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/9/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 702 (RUSSIA)**

- Subject ARB was held on 20 June 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) Detain) 9-24
(b)(5)

Attachments:
Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 702

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview. These comments are documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate new information not available in the previous year's ARB.

a. (U) Recruitment

(b)(1),(b)(7)(A)

(a) (U) The Department of Homeland Security has designated the IMU a foreign terrorist organization. In Operation Enduring Freedom, the counterterrorism coalition has captured, killed, and dispersed many IMU militants who were fighting with the Taliban in Afghanistan. (DMO-4)

(b)(1)

b. (U) Travel

(b)(7)(A)

(b)(1)

c. (U) **Training**

(b)(1),(b)(7)(A)

(b)(1)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1),(b)(5),(b)(7)(A)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

f.(U) **Individual Affiliations**

(b)(1)

(b)(1),(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

(b)(5)

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~**(S//NF)**~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10/23/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 703 (ALGERIA)**

- Subject ARB was held on 02 Aug 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5)

(b)(5)

11-1

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 703

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings. The AMO verbally summarized comments the EC made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to support jihad, his weapons training, his future plans, and his perception of U.S. forces. All EC testimony and comments are included in enclosure (4).

(b)(1)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

(i) (U) Jamat-al-Tabligh is a Pakistan based Islamic missionary organization used as a cover to mask travel and activities of terrorists, including members of al Qaida. (DMO-16)

b. **(U) Travel**

(b)(7)(A)

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1 Feb 08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 707 (SUDAN)**

- Subject ARB was held on 22 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 3-17

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 707

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(1)

b. (U) **Travel**

(b)(1)

c. (U) **Training**

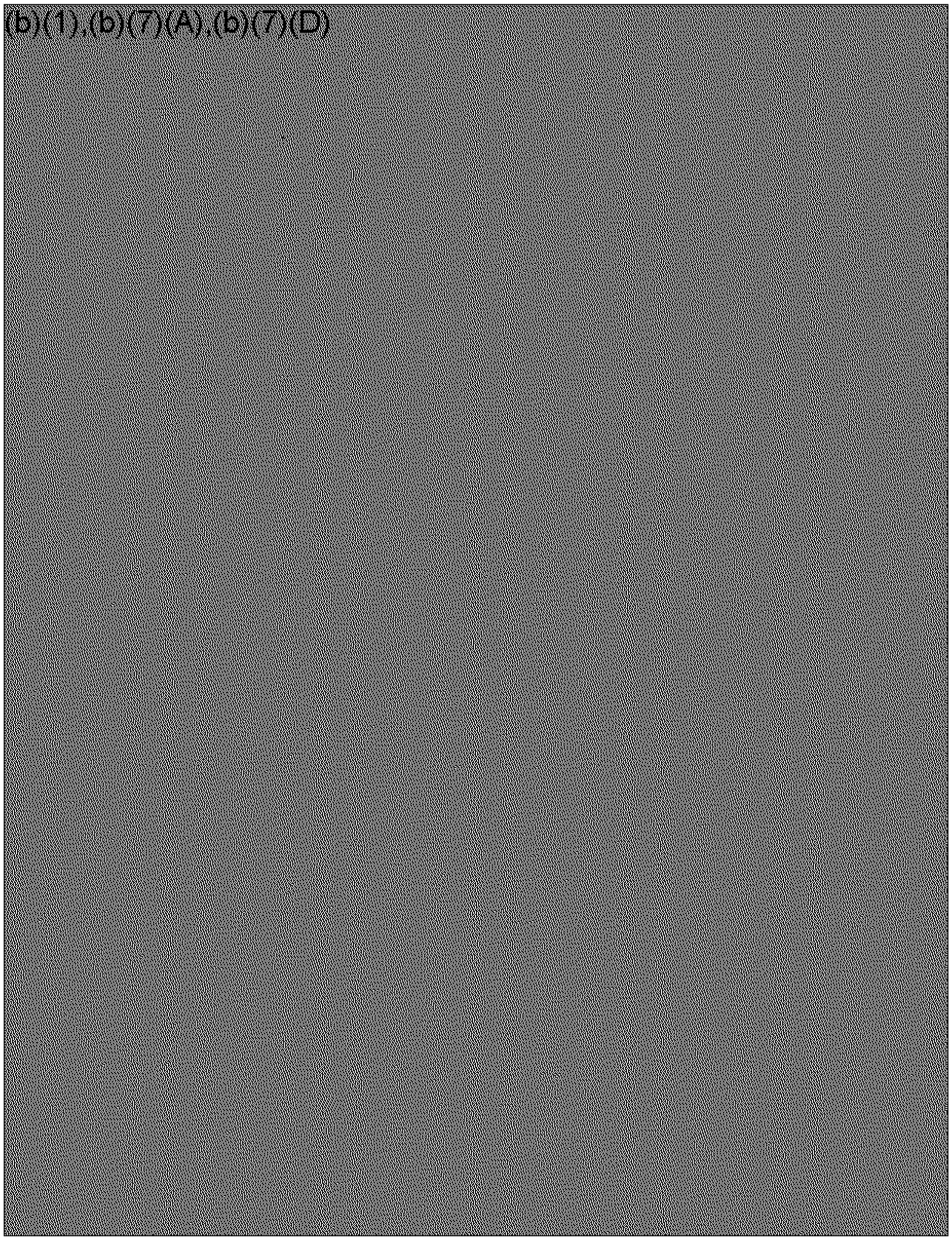
(b)(1),(b)(7)(A),(b)(7)(D)

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A),(b)(7)(D)

(b)(1),(b)(7)(A),(b)(7)(D)



e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A),(b)(7)(D)

g. (U) **Behavior**

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Sudan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)
(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 19 9/9/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 708 (LIBYA)**

- Subject ARB was held on 30 May 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) Detain) 9-26

(b)(5)

Attachments:
Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 708

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(7)(A)

(b)(5)

b. **(U) <u>Travel</u>**

(b)(1)

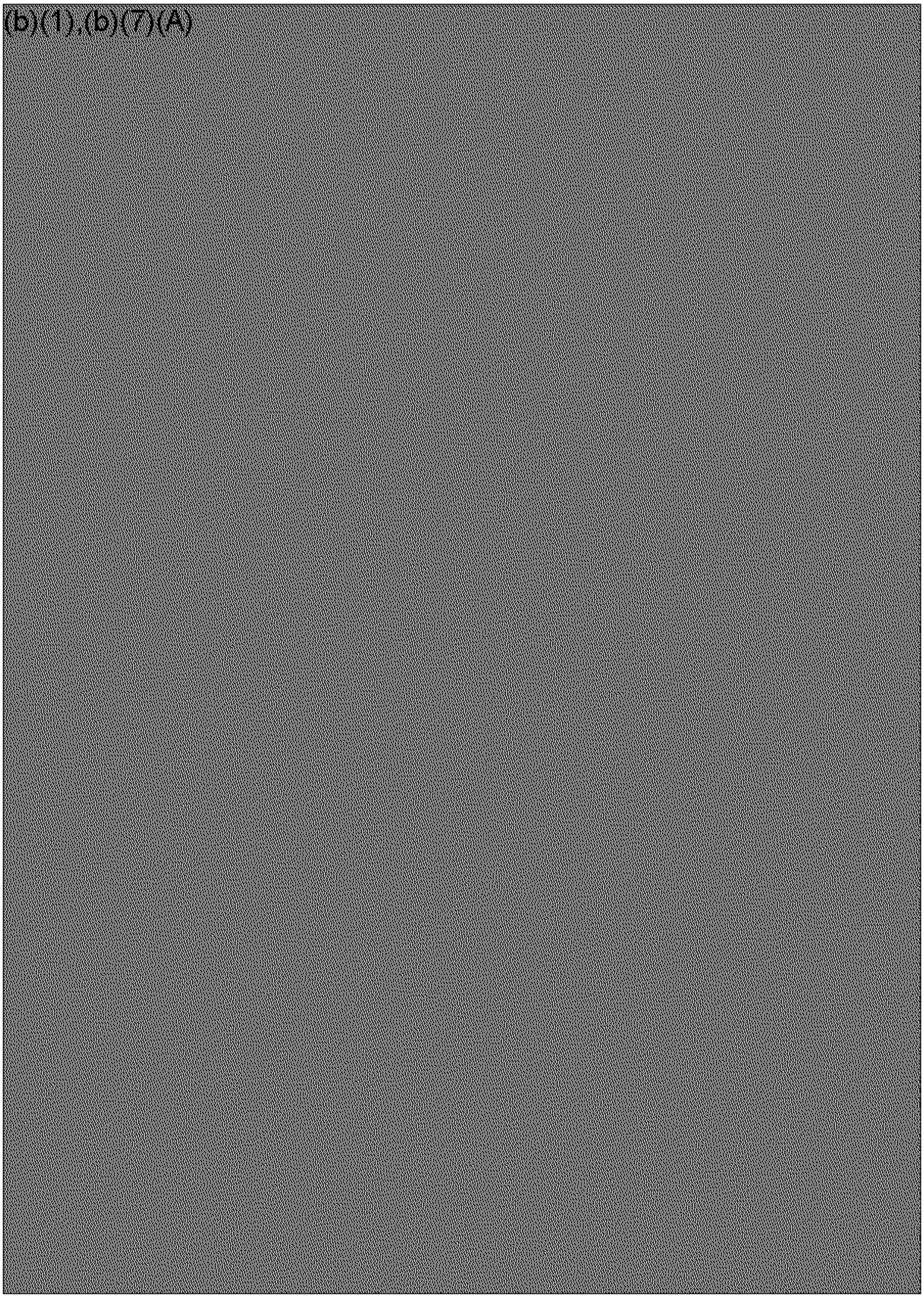
(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(7)(A)


(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Libya. The ARB considered the Libyan government's ARB submission material submitted on behalf of ISN 708 herein enclosed as Enclosure (4). There were no other matters submitted on behalf of ISN 708.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 3/2/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 713 (SAUDI ARABIA)**

- Subject ARB was held on 24 January 2008 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 2-27

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 713

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO provided an oral statement made by the EC to the AMO during the interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

c. (U) After review of all attached exhibits the Board disregarded DMO-48 because it did not relate to ISN 713 and was irrelevant.

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1)

(b)(1)

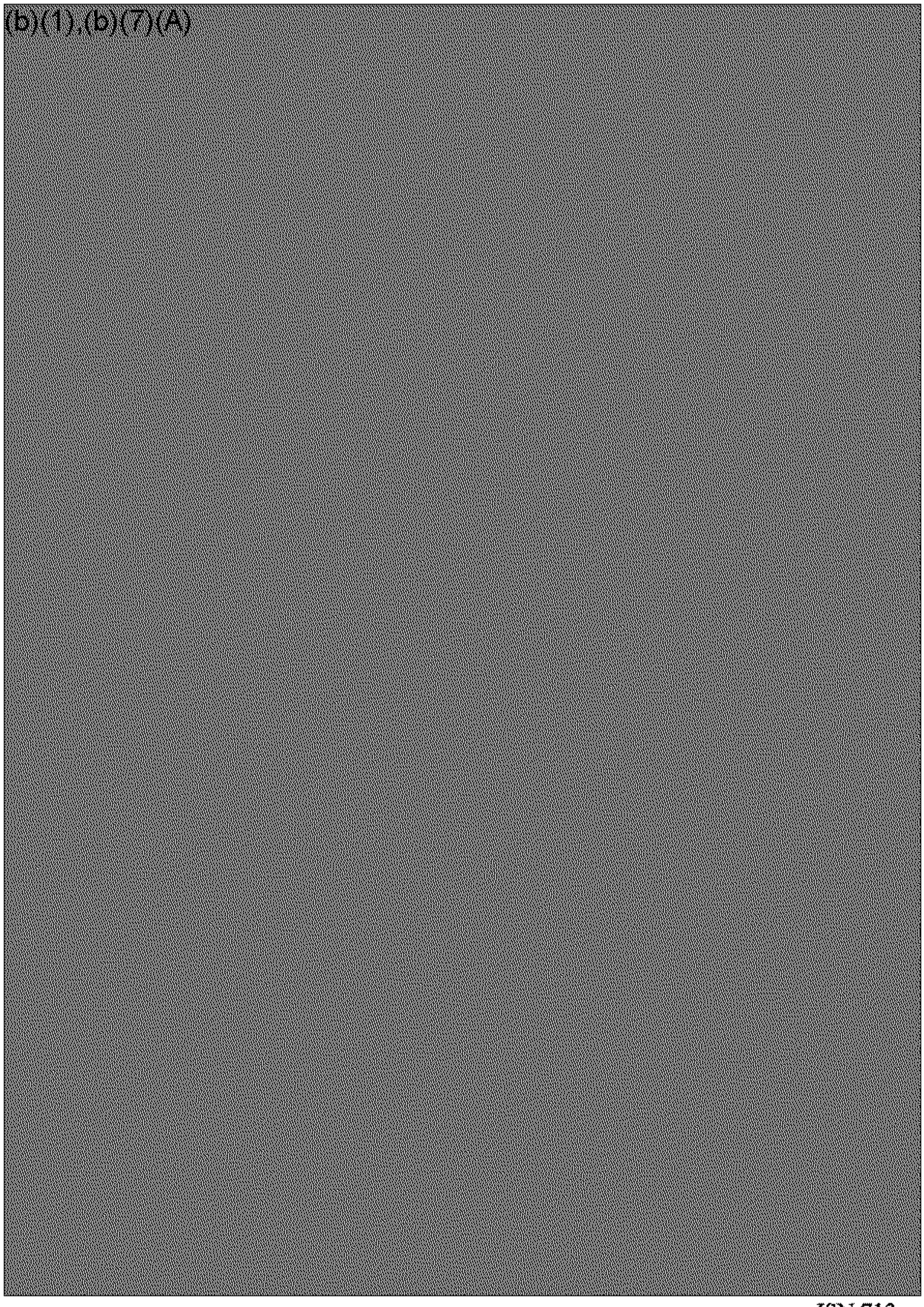
b. (U) **Travel**

(b)(1)

c. (U) **Training**

(b)(1)

(b)(1),(b)(7)(A)



(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(5)

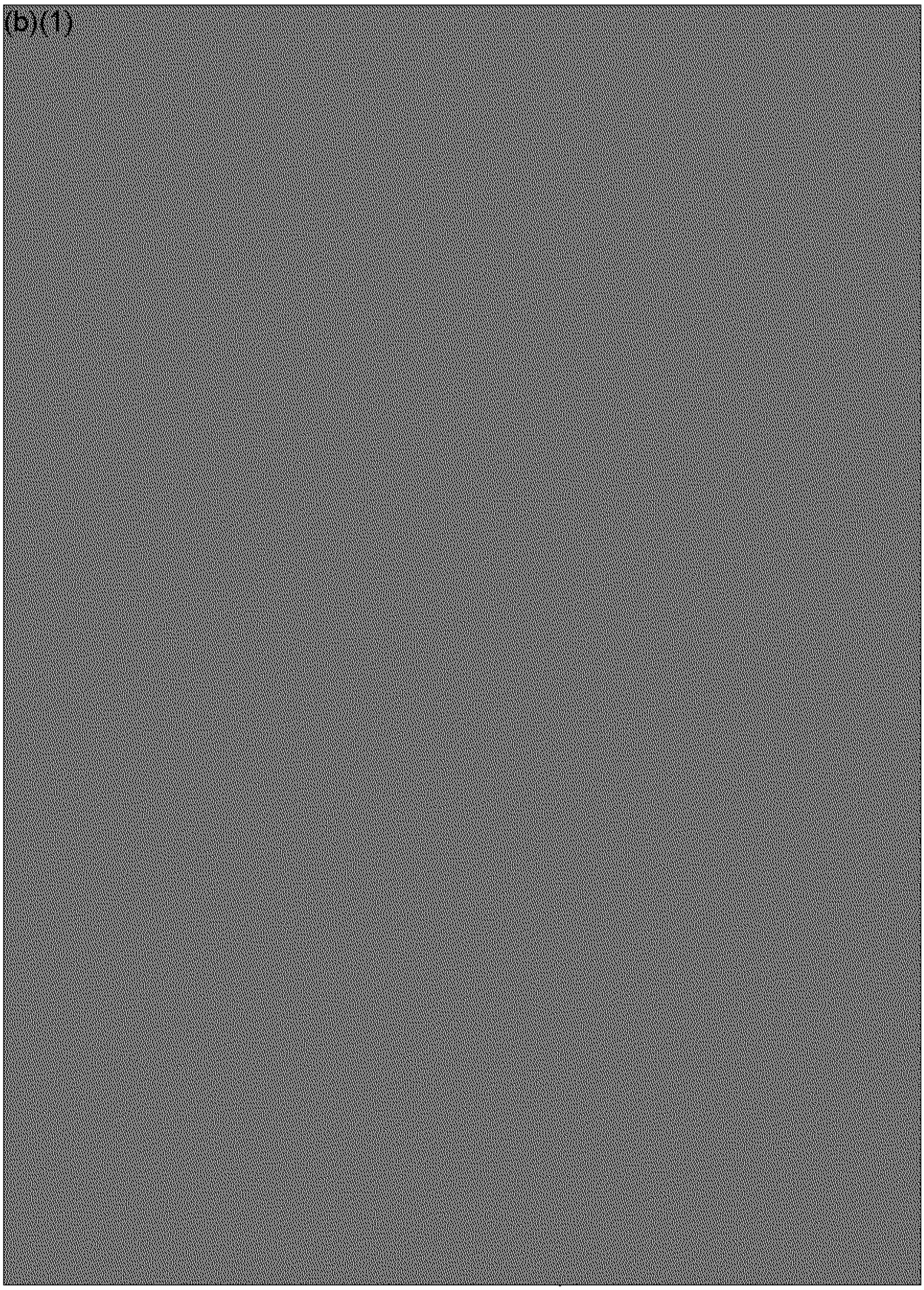
e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)



(b)(1)

g. (U) **Behavior**

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Saudi Arabia. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/20/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 717 (TUNISIA)**

- Subject ARB was held on 22 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO, (b)(5)

(b)(5) (Transfer) 2-28

(b)(5) Detain _____ Release _____

Attachments:
Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 717

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC refused to attend the interview.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present for the AMO's interview. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) Recruitment

(b)(1),(b)(5)

b. (U) Travel

(b)(1)

(b)(1)

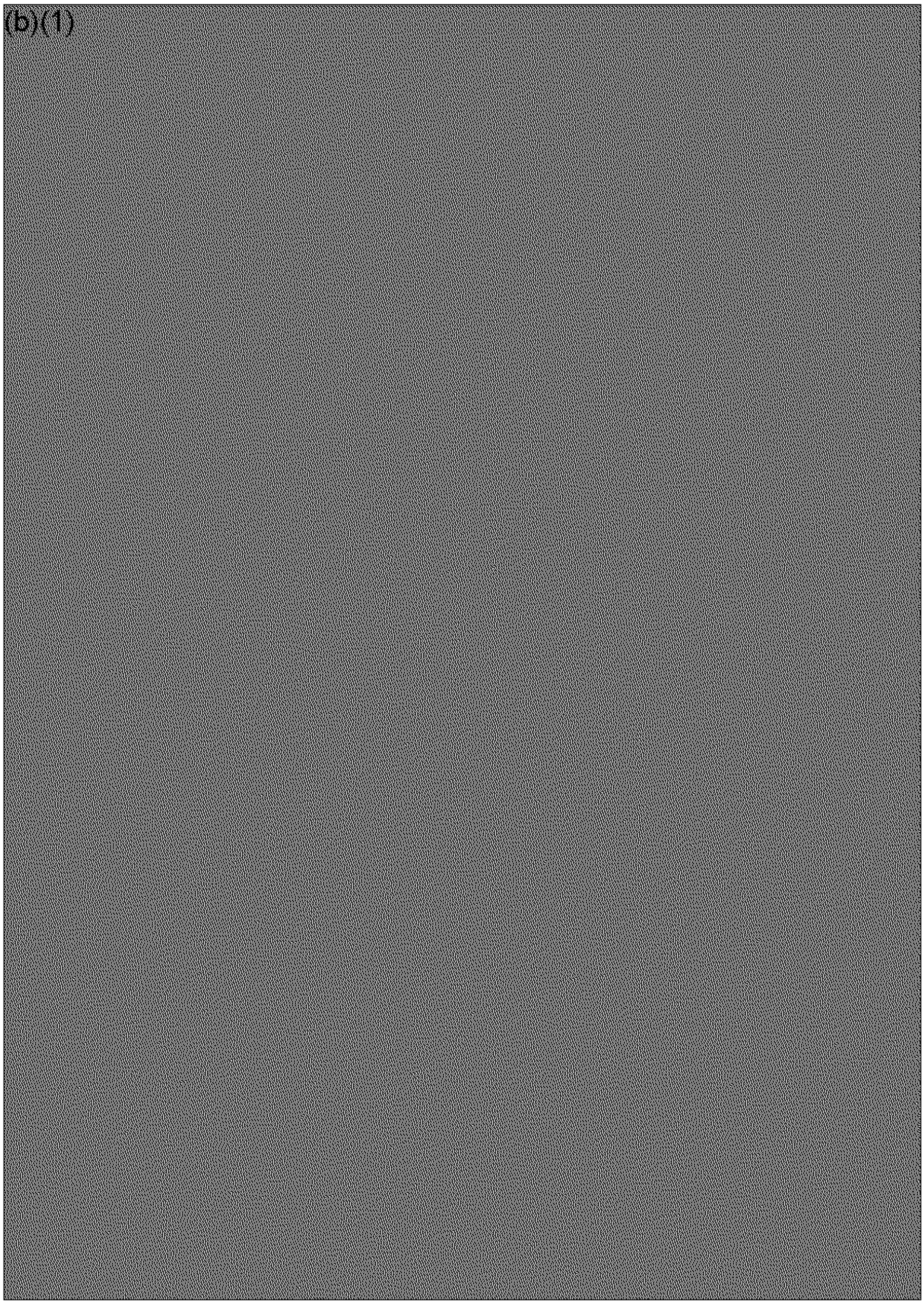
c. (U) **Training**

(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

(a) (U) * DHS reported the Armed Islamic Group is designated as a foreign terrorist organization by the U.S. Department of Homeland Security. The Algerian Armed Islamic Group is described as an Islamic extremist group whose aim is to overthrow the secular Algerian regime and replace it with an Islamic state. (DMO-2)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Tunisia. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)
(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 8/5/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 719 (SUDAN)**

- Subject ARB was held on 18 April 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5)

(b)(5) Detain (b)(5)

8-20

Attachments:

Tab A OARDEC SJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 719

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview, and provided an oral statement made by the EC to the AMO during the interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5),(b)(7)(A)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1)

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1),(b)(5)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1)

e. **(U) Organizational Affiliations**

(b)(1),(b)(5)

f. **(U) <u>Individual Affiliations</u>**

(b)(1)

g. (U) **Behavior**

(b)(5)

(U) Other Information

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Sudan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.** (b)(5)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

9. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/9/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 720 (SUDAN)**

- Subject ARB was held on 31 May 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) (Detain) 9-26
(b)(5) (b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 720

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are *included herein within enclosure (5).*

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

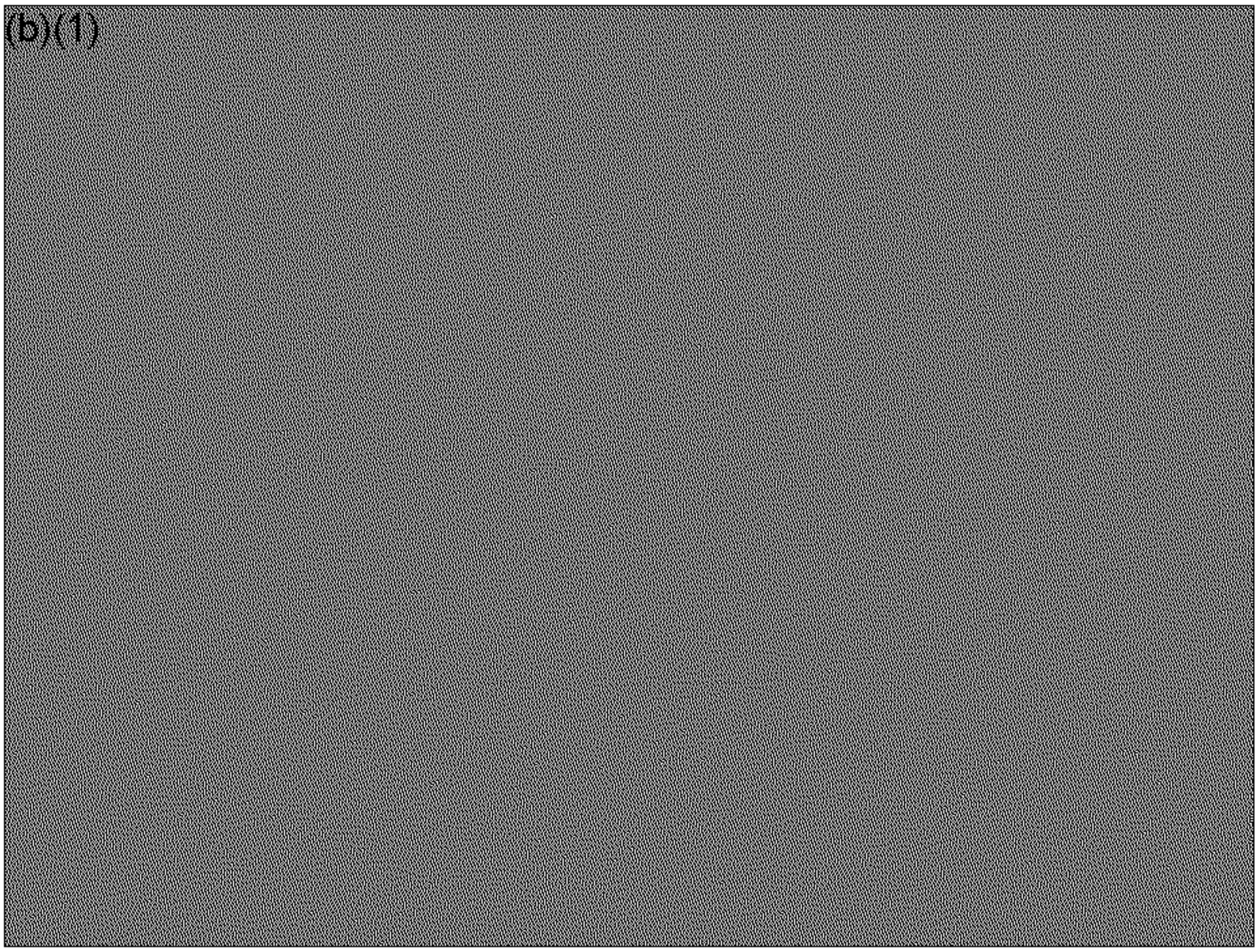
4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. No new exhibits were introduced since last year's ARB.

a. **(U) Recruitment** The Board notes the EC has a long history of involvement with the jihad going back to fighting the Soviets in Afghanistan in the early 1990s.

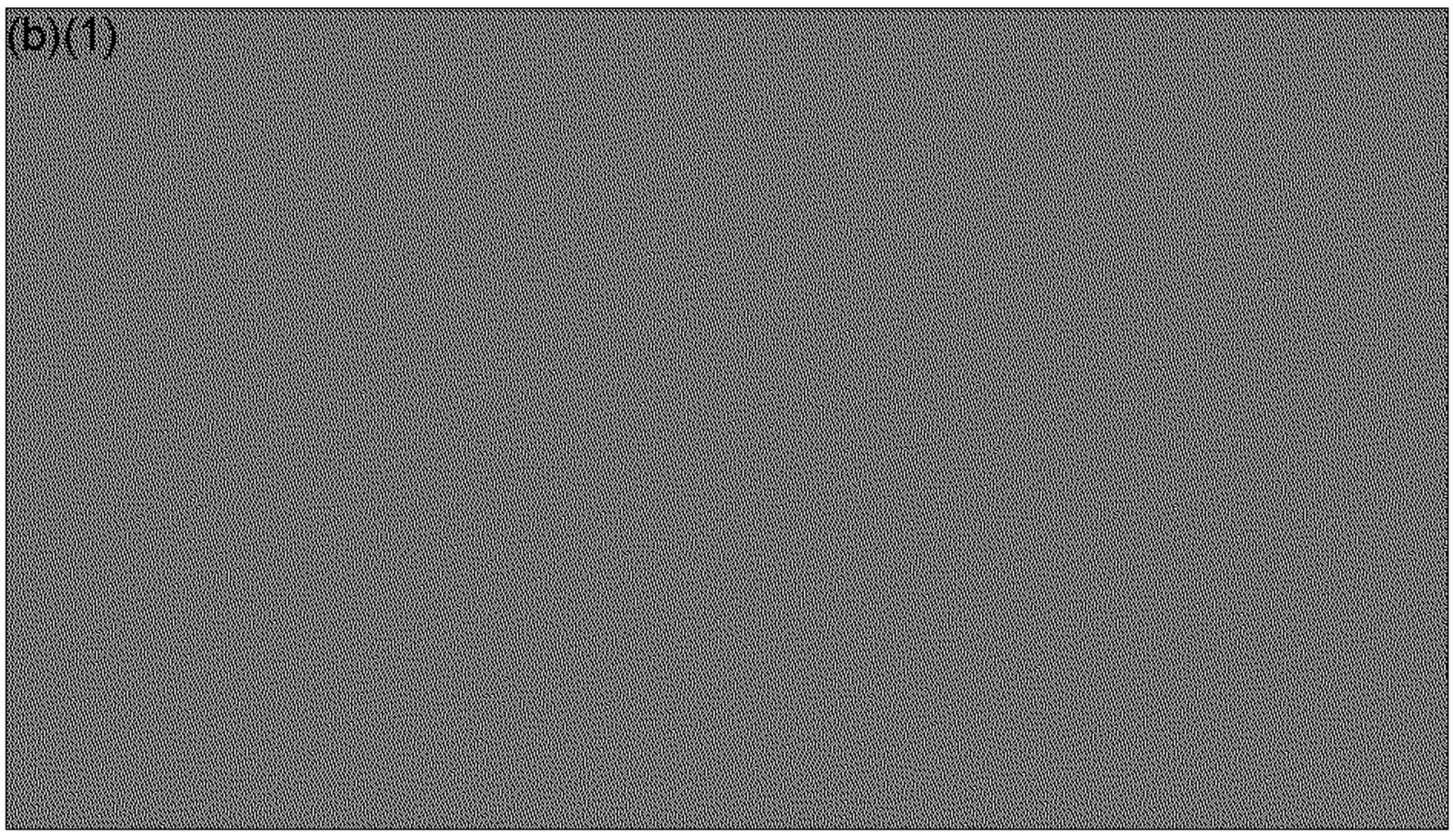
(b)(1),(b)(7)(A)

(b)(1)

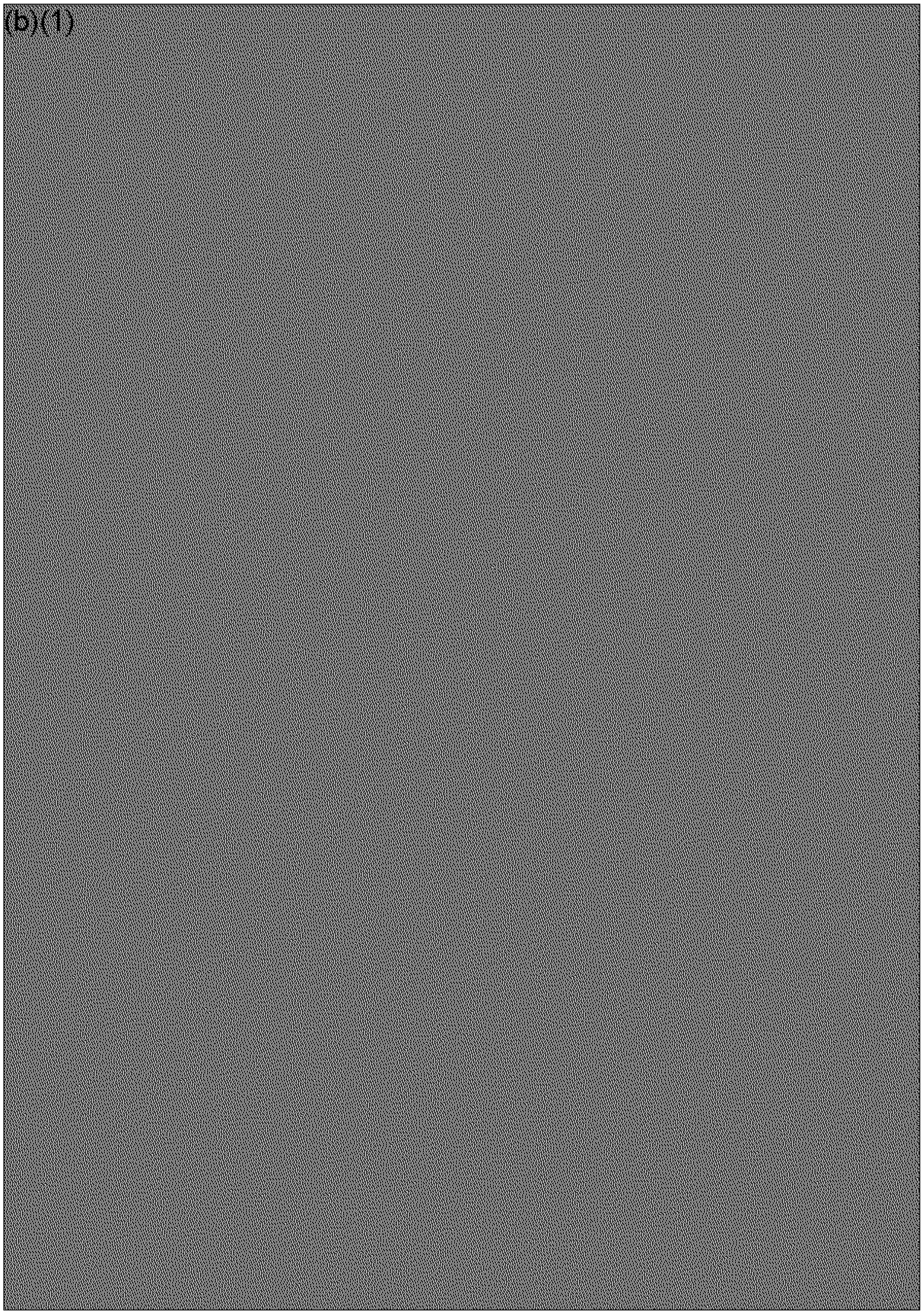


b. **(U) <u>Travel</u>**

(b)(1)



(b)(1)



(b)(1)

c. (U) **Training**

(b)(1)

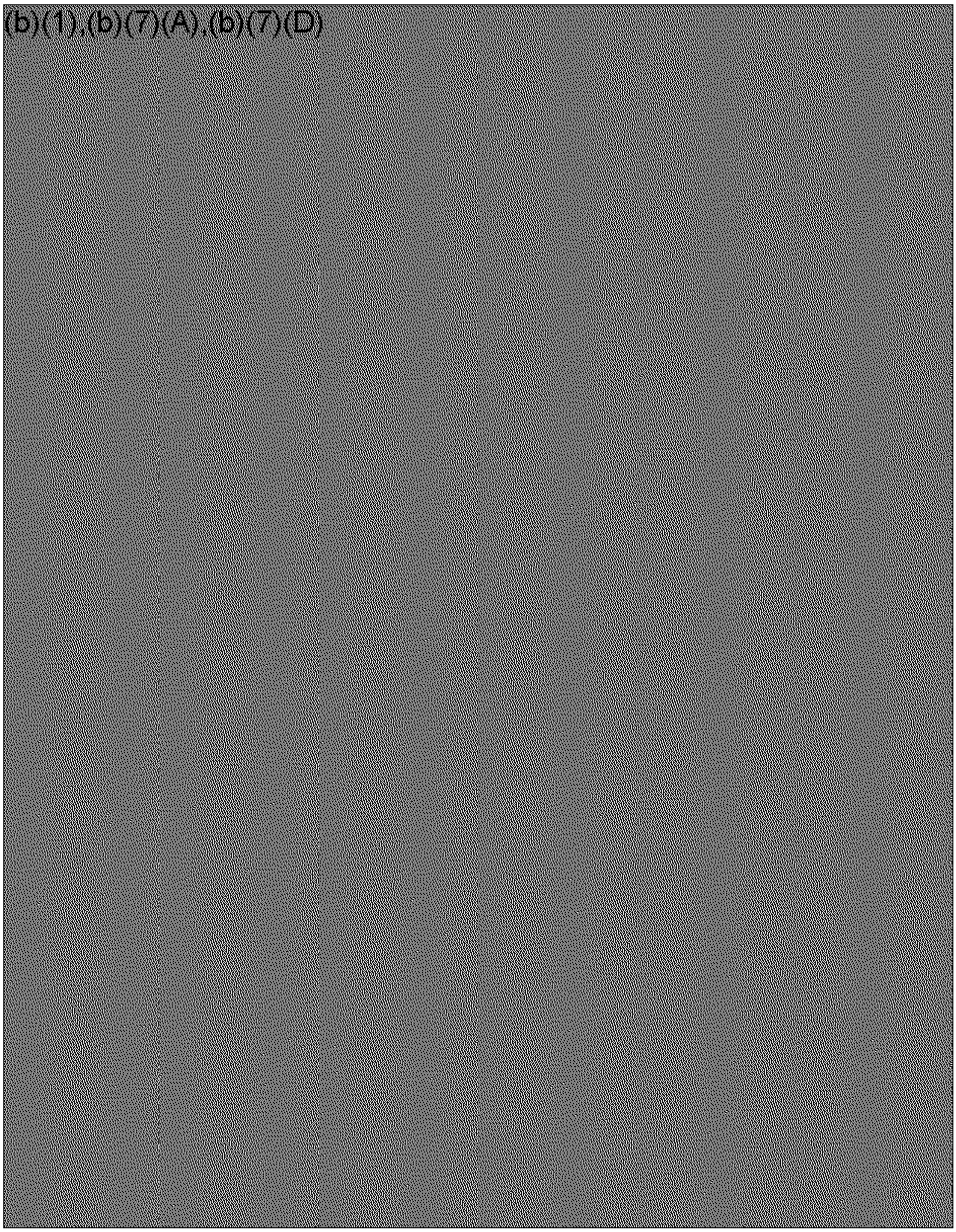
d. (U) **Operations, Combat and Capture**

(b)(1)

(b) (U) According to open press, Abu Ikhlas al Masri was a close aide to Usama bin Laden. Al Masri reportedly trained Arabs, Pakistanis, Chechens, and others at the

camps in Paktia, Konduz, Nangarhar, and Rujar. Al Masri is believed to be one of the most skilled experts at making bombs and explosive devices and is the author of a number of military books. (DMO-4)

(b)(1),(b)(7)(A),(b)(7)(D)



(b)(1)

e. (U) ***Organizational Affiliations***

(b)(1)

(a) (U) According to the Department of Homeland Security, LT is the armed wing of the Pakistan based religious organization, MDI, a Sunni anti-U.S. organization formed in 1989. LT is one of the largest and best-trained groups fighting in Kashmir against India. The group was banned, and the Pakistani Government froze its assets in January 2002. (DMO-5)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Sudan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The Board assesses the EC continues to represent a (b)(5) due to the following factors:

(b)(5)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10/25/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 722 (SYRIA)**

- Subject ARB was held on 1 Aug 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (b)(5) [Detain] 10-26-07 (b)(5) (b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 722

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The EC refused to leave his cell for the interview. In accordance with Standard Operating Procedures, the Joint Detention Group (JDG) liaison hand-carried two copies of the Unclassified Summary of Evidence, English and Arabic translated, to the JDG point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

(b)(1)

(b)(1)

c. **(U) Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1),(b)(5)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1),(b)(5),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(5),(b)(7)(A)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Syria. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12/29/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 727 (LIBYA)**

- Subject ARB was held on 23 Aug 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:

(b)(1)

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (b)(5) (Detain) 11-13 (b)(5) (b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 727

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC refused to attend the interview. The Joint Detention Group (JDG) liaison hand-carried two copies of the Unclassified Summary of Evidence, English and Arabic translated, to the JDG point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

d. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

e. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

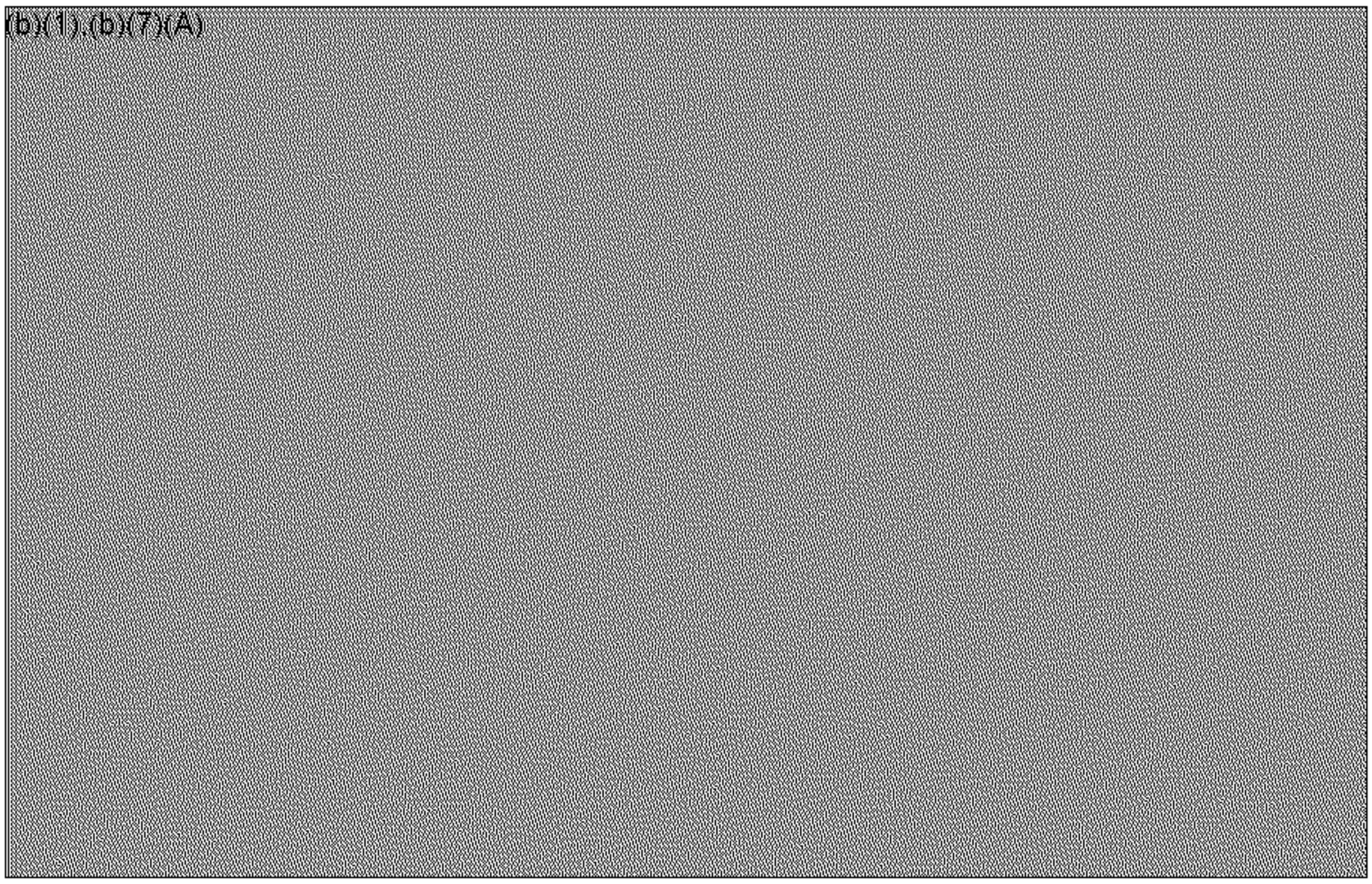
(b)(7)(A)

b. (U) **Travel**

(b)(1)

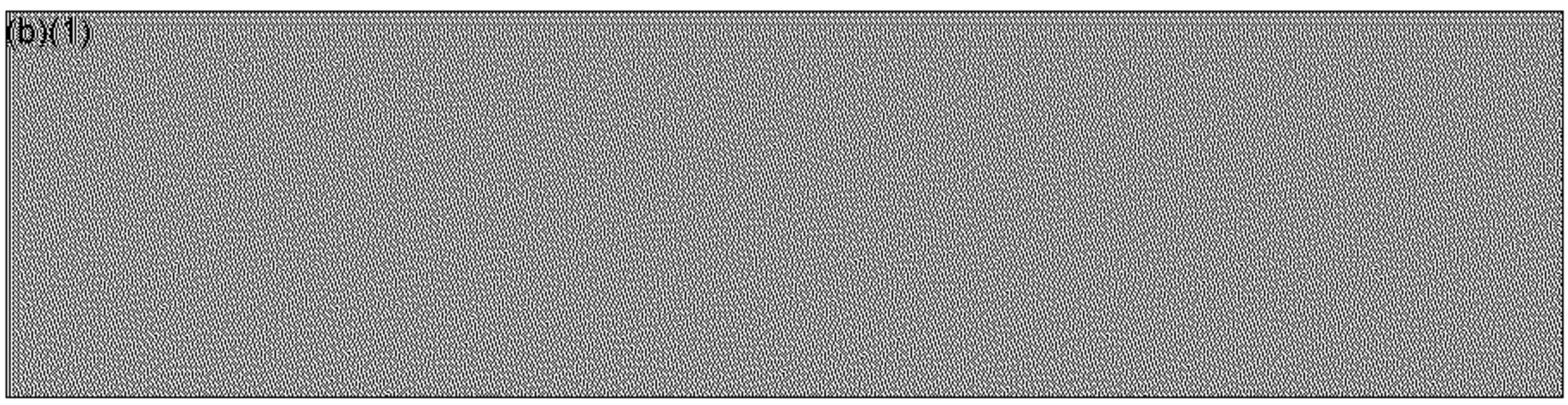
c. (U) Training

(b)(1),(b)(7)(A)



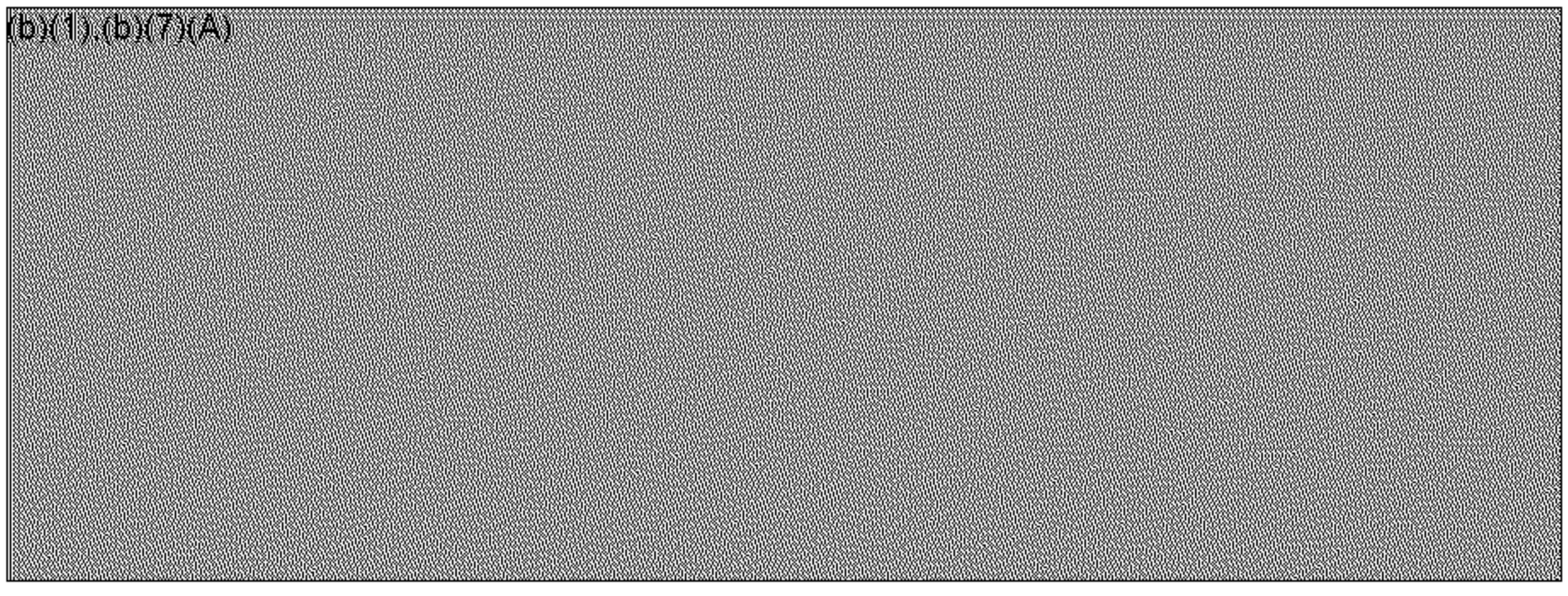
d. (U) Operations, Combat and Capture

(b)(1)



e. (U) Organizational Affiliations

(b)(1),(b)(7)(A)



(i) (U) The Libyan Islamic Fighting Group is a foreign terrorist organization and has pledged to overthrow the Libyan government. Some members are aligned with Usama bin Laden's al Qaida organization or are active in the international Mujahedin network. (DMO-6)

(b)(1)

(4) (U) On 15 November 2001 the Spanish newspaper El Pais' web site claimed the EC was an active guerrilla leader of the Mujahedin movement with links to an Islamist group that was dismantled in Spain on 13 November 2001. The web site also claimed the EC was a member of the military council of the Islamist guerillas in Chechnya. (DMO-5)

(b)(1),(b)(7)(A)

(a) (U) Al Taqwa Bank in the Bahamas is listed in Executive Order 13224, which blocks property and prohibits transactions with persons who commit, threaten to commit, or support terrorism. (DMO-4)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Libya. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 18/23/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 728 (YEMEN)**

- Subject ARB was held on 14 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) Detain)
(b)(5)

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 728

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive. A copy of both the English and Arabic translated Unclassified Summary of Evidence was provided to the detainee according to Joint Detention Group Standard Operating Procedures.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(1)

i. **(U) Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

(b)(5)

(b)(1)

(b)(1)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/18/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 743 (PAKISTAN)**

- Subject ARB was held on 16 Jan 08 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 3-17

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 743

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after its presentation.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC answered a series of questions from the ARB, which included inquiries regarding his motivation to support jihad, his weapons training, his future plans, his perception of U.S. forces, and his treatment at Guantanamo Bay, Cuba. All EC testimony and comments are included in enclosure (5).

(b)(1),(b)(5)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(5)

b. **(U) Travel**

(b)(5)

c. **(U) Training**

(b)(5)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(5)

(b)(1),(b)(5)

(b)(1),(b)(5),(b)(7)(D)

e. (U) **Organizational Affiliations**

(b)(1)

(i) (U) * According to the Department of Homeland Security (DHS), the Sipah-I-Sahaba/Pakistan (SSP) is a Sunni sectarian group that follows the Deobandi School. DHS reported that the SSP is violently anti-Shi'a and emerged in central Punjab in the mid-1980s as a response to the Iranian Revolution. DHS further reported the group's activities range from organizing political rallies calling for Shi'as to be declared non-Muslims to assassinating prominent Shi'a leaders. (DMO-2)

(b)(1)

f. (U) **Individual Affiliations**

(b)(7)(A)

(b)(1),(b)(7)(D)

g. (U) **Behavior**

(b)(1),(b)(5)

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

(2) (U) The EC stated he made a mistake when he got involved with bad people at a young age. (DMO-25)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Pakistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)
(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 8/15/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 744 (ALGERIA)**

- Subject ARB was held on 04 May 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (b)(5) Detain) 8-29 (b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 744

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(5)

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

b. (U) **Travel**

(b)(7)(A)

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(7)(A)

(b)(1)

(b)(7)(A)

(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Algeria. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 744, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 744.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)
(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 2/4/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 753 (AFGHANISTAN)**

- Subject ARB was held on 10 Jan 2008 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 2-14

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 753

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) Exhibit EC-A, Memo for Record from Washington, DC, titled Notification of CSRT Determination dated 07 Jan 08 constitutes constructive notice of Enemy Combatant notification of ISN 753, identified herein as enclosure (2).

d. (U) The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

e. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process. The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the Enemy Combatant status.

3. (U) Summary of Information Considered

a. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2)(U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4.(U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. **(U) Recruitment**

(b)(1),(b)(7)(A)

b. **(U) Travel**

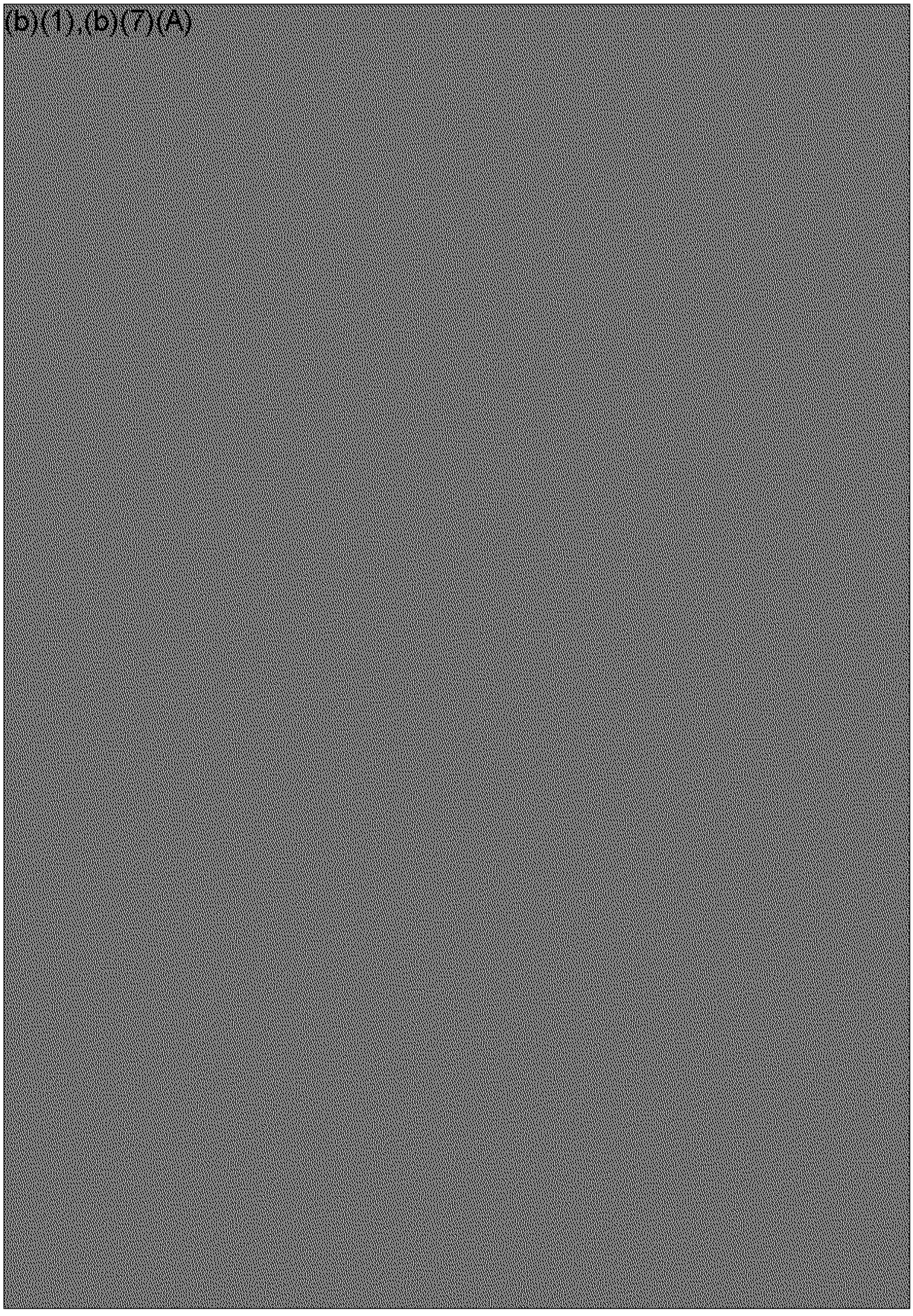
(b)(1)

c. **(U) Training**

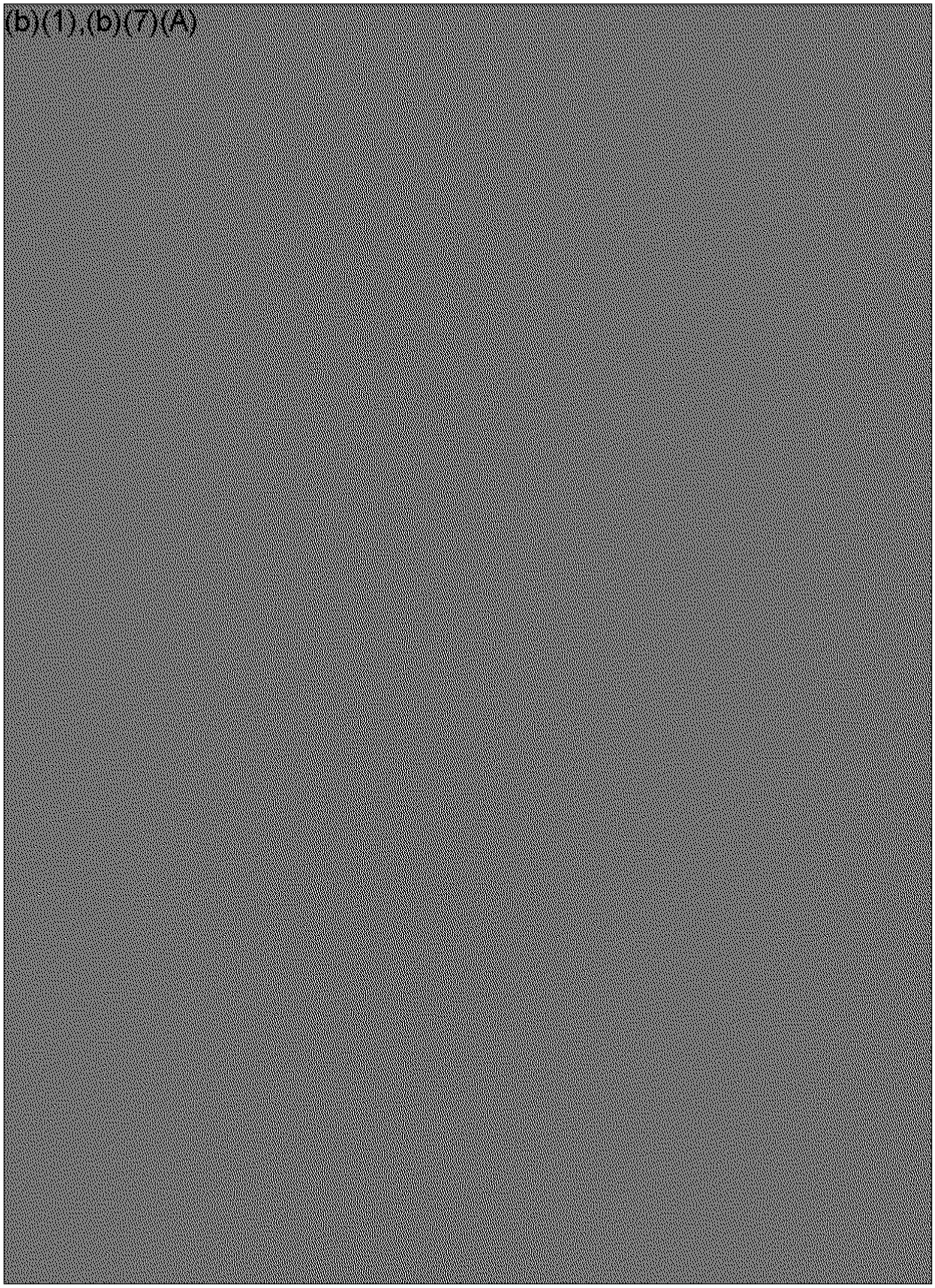
(b)(1)

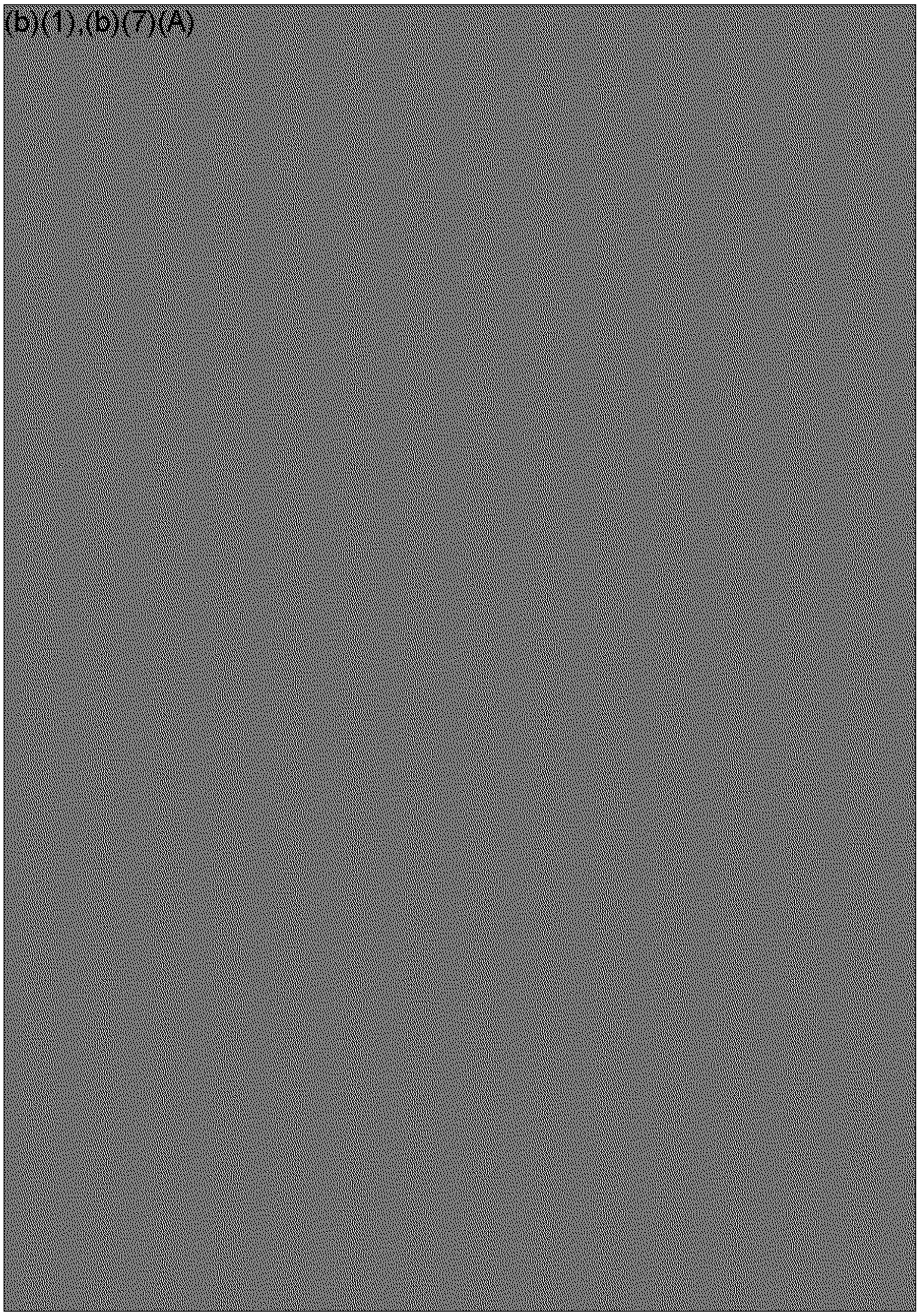
d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)


(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)




(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a.(U) The EC is a citizen of Afghanistan and is 36 years of age. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1),(b)(5)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/2/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 757 (MAURITANIA)**

- Subject ARB was held on 30 November 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) Detain) 1-4-08

(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 757

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

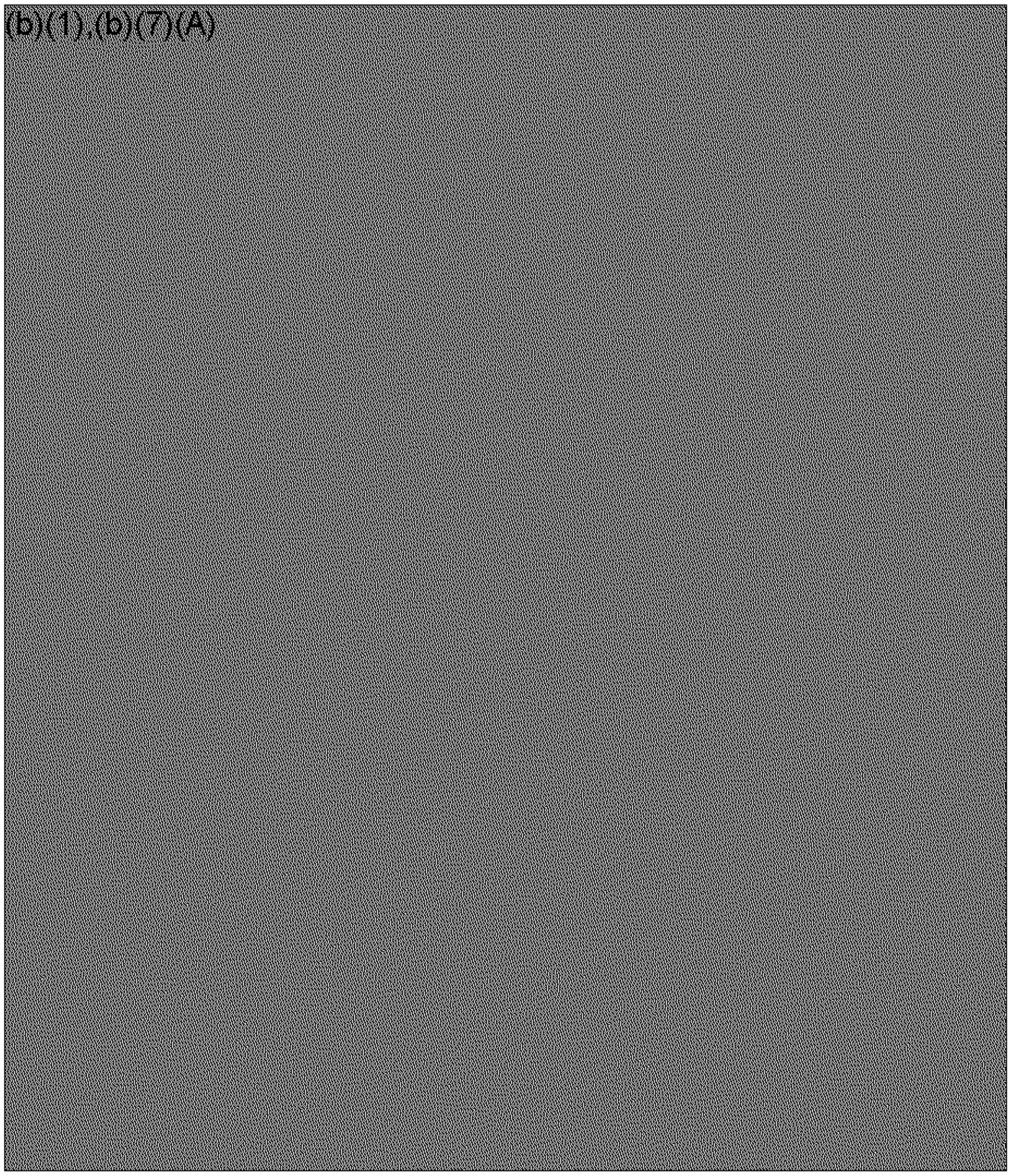
(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

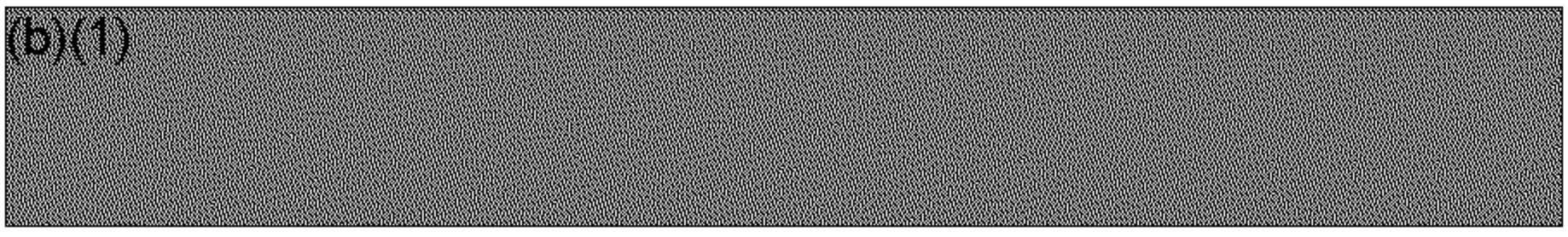
a. (U) **Recruitment**

(b)(1),(b)(7)(A)



b. (U) **Travel**

(b)(1)



(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(1),(b)(7)(A)

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

(i) (U) U.S. Department of Homeland Security (DHS) reported the Libyan Islamic Fighting Group emerged in 1995 among Libyans who had fought against Soviet forces in Afghanistan. DHS reported the LIFG declared the government of Libyan leader Muammar Qadhafi un-Islamic and pledged to overthrow it. DHS further reported that some LIFG members maintain a strictly anti-Qadhafi focus and organize against Libyan Government interests, but others are aligned with Usama bin Laden's al-Qaeda organization or are active in the international Mujahedin network. (DMO-2)

(b)(7)(A)

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

g. **(U) Behavior**

(b)(5)

h. **(U) Other Information**

(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) **Third Party / Home Country Statements**

a. (U) The EC is a citizen of Mauritania. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 757, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 757.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision (b)(3) 10 U.S.C. §130b(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/14/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 760 (MAURITANIA)**

- Subject ARB was held on 21 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) _____ 1-22-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 760

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(5),(b)(7)(A)

b. **(U) <u>Travel</u>**

(b)(7)(A)

c. **(U) <u>Training</u>**

(b)(1)

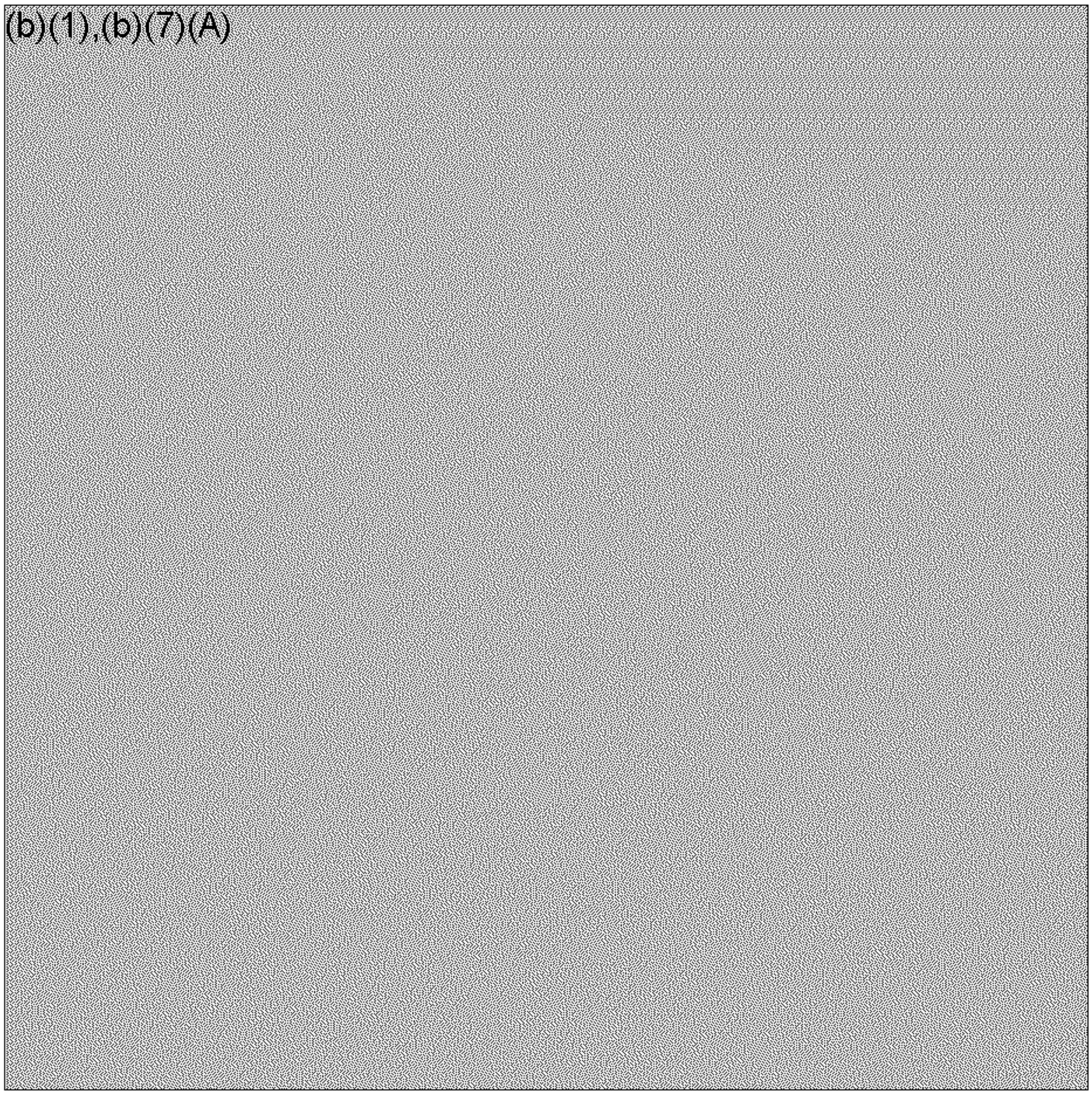
(b)(5)

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(a) (U) According to DHS, the Armed Islamic Group has been designated by the U.S. Secretary of State as a Foreign Terrorist Organization. DHS reported the Armed Islamic Group aims to overthrow the secular Algerian regime and replace it with an Islamic state. DHS further reported the Armed Islamic Group has conducted a terrorist campaign of civilian massacres since 1992. (DMO-2)

(b) (U) DHS reported the Salafist Group for Call and Combat has been designated by the U.S. Secretary of State as a Foreign Terrorist Organization. DHS assessed the Salafist Group, an outgrowth of the Armed Islamic Group, appears to have eclipsed the Armed Islamic Group since approximately 1998, and is currently the most effective armed group inside Algeria. DHS reported the Salafist Group continues to conduct operations aimed at government and military targets. DHS further reported such attacks include false roadblocks and attacks against convoys transporting military, police, or other government personnel. (DMO-2)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. U) The EC is a citizen of Mauritania. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 10/13/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 761 (LIBYA)**

- Subject ARB was held on 16 Aug 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) Detain) 10-22
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 761

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(7)(A)

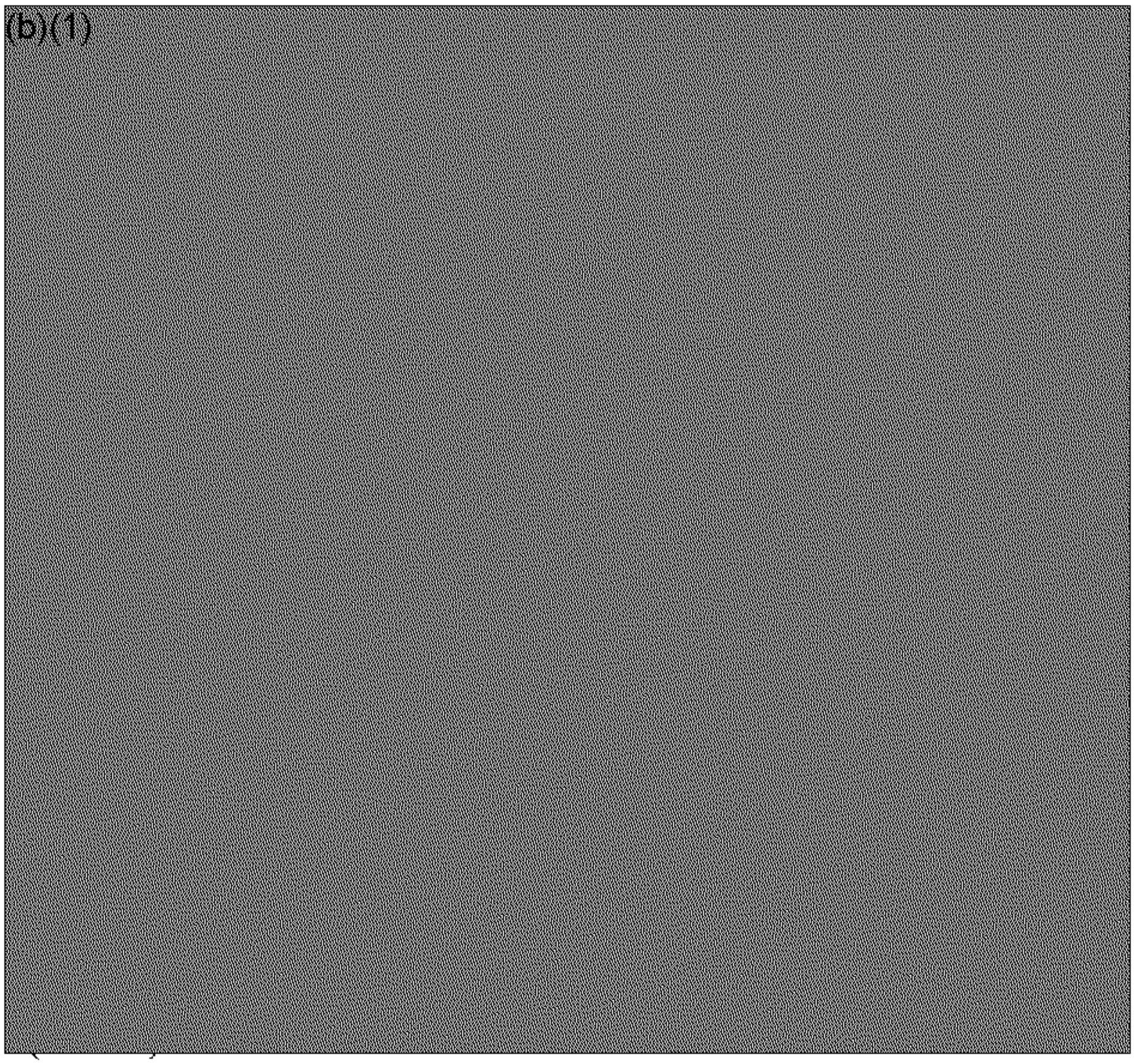
b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

c. **(U) <u>Training</u>**

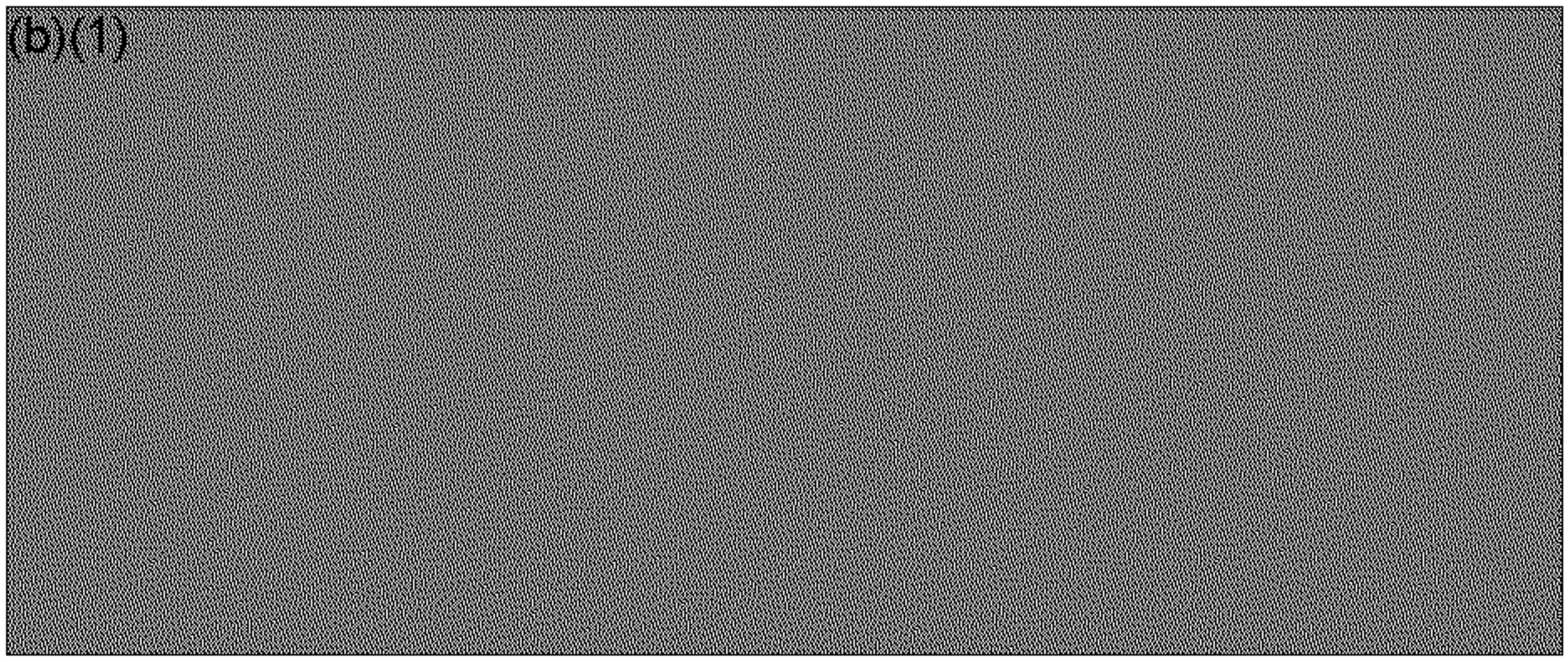
(b)(1),(b)(7)(A)

(b)(1)



d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1)



(b)(1)

e. **(U) <u>Organizational Affiliations</u>**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1)

2. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Jordan. No third party or home country statements were provided.

3. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

4. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~**(S//NF)**~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~**(S//NF)**~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration** (b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

5. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision (b)(6); 10 USC § 130b (b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 11/29/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 762 (AFGHANISTAN)**

- Subject ARB was held on 18 October 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (b)(5) Detain) 12-4 (b)(5) (b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 762

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to respond to each statement of information in the Unclassified Summary after its presentation.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) During the Board, the EC responded to each allegation/statement in the Unclassified Summary. The EC answered a series of questions from the ARB, which included inquiries regarding his family, weapons training, cross border travel, future plans, and his treatment at Guantanamo Bay, Cuba. All EC testimony and comments are included in enclosure (4).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

b. (U) **Travel**

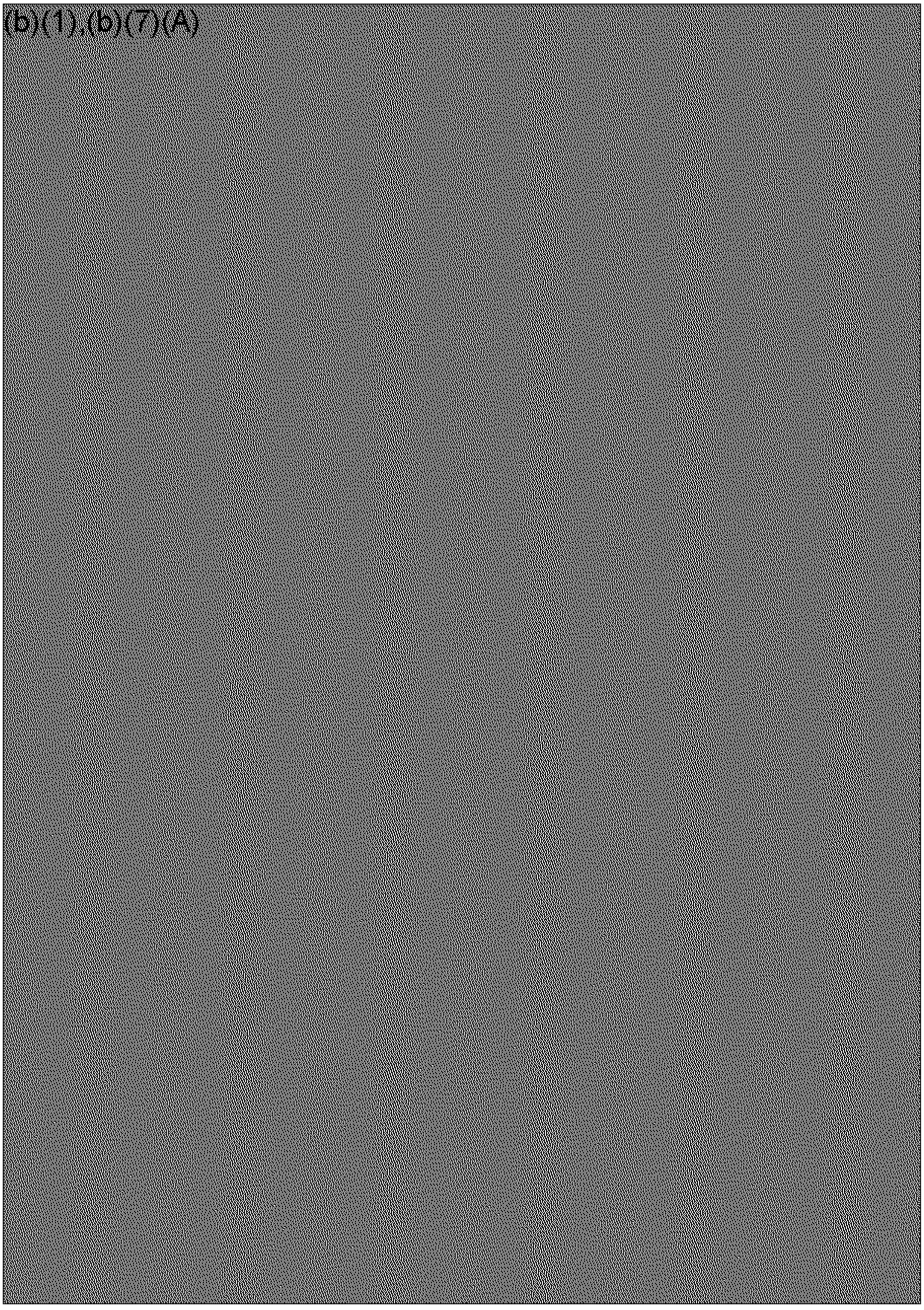
(b)(7)(A)

c. (U) **Training**

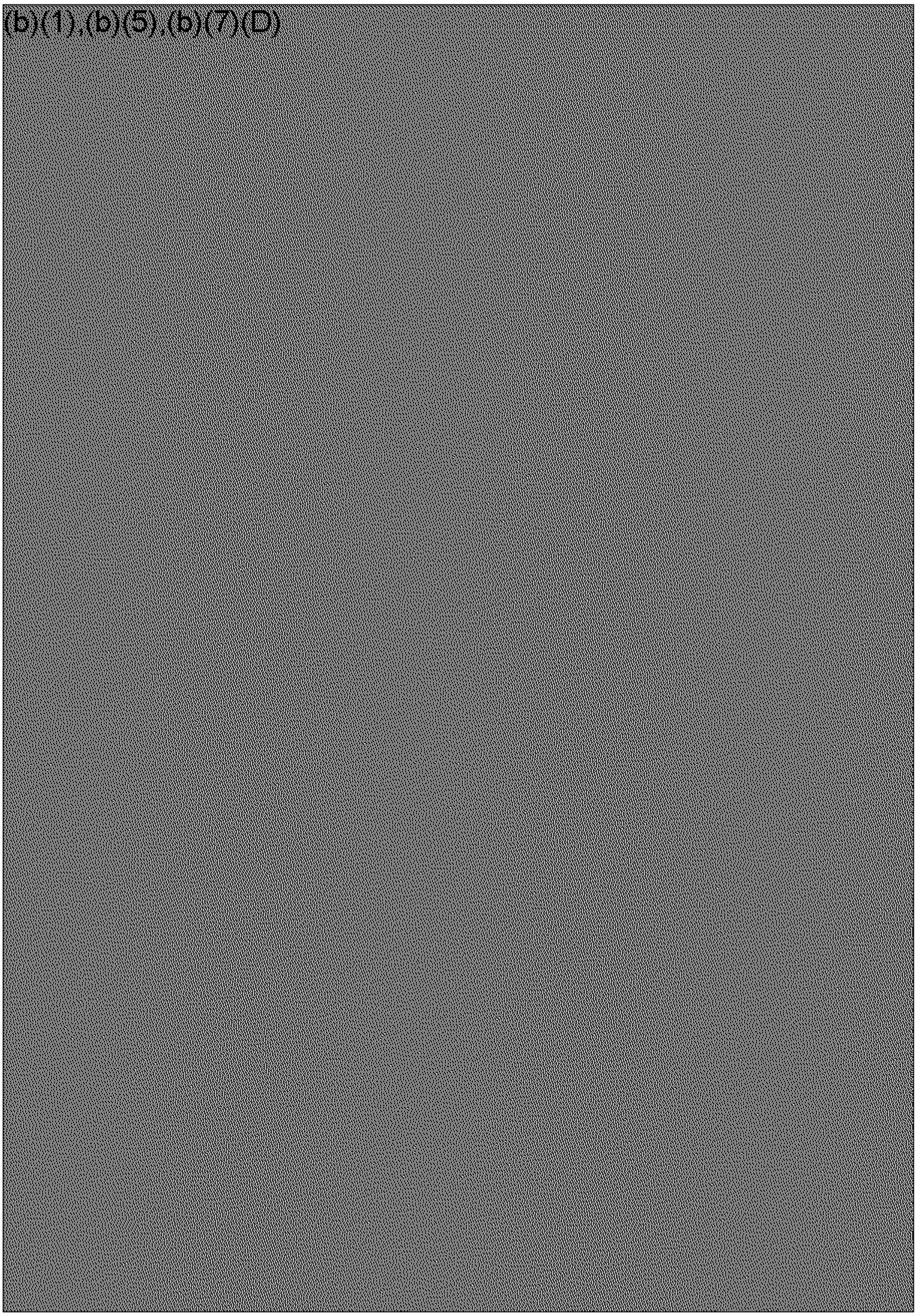
(b)(1)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(D)



(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(5),(b)(7)(A)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 11/24/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 782 (AFGHANISTAN)**

- Subject ARB was held on 6 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) Detain) 11-29
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 782

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) Recruitment

(b)(1),(b)(7)(A)

b. (U) Travel

(b)(7)(A)

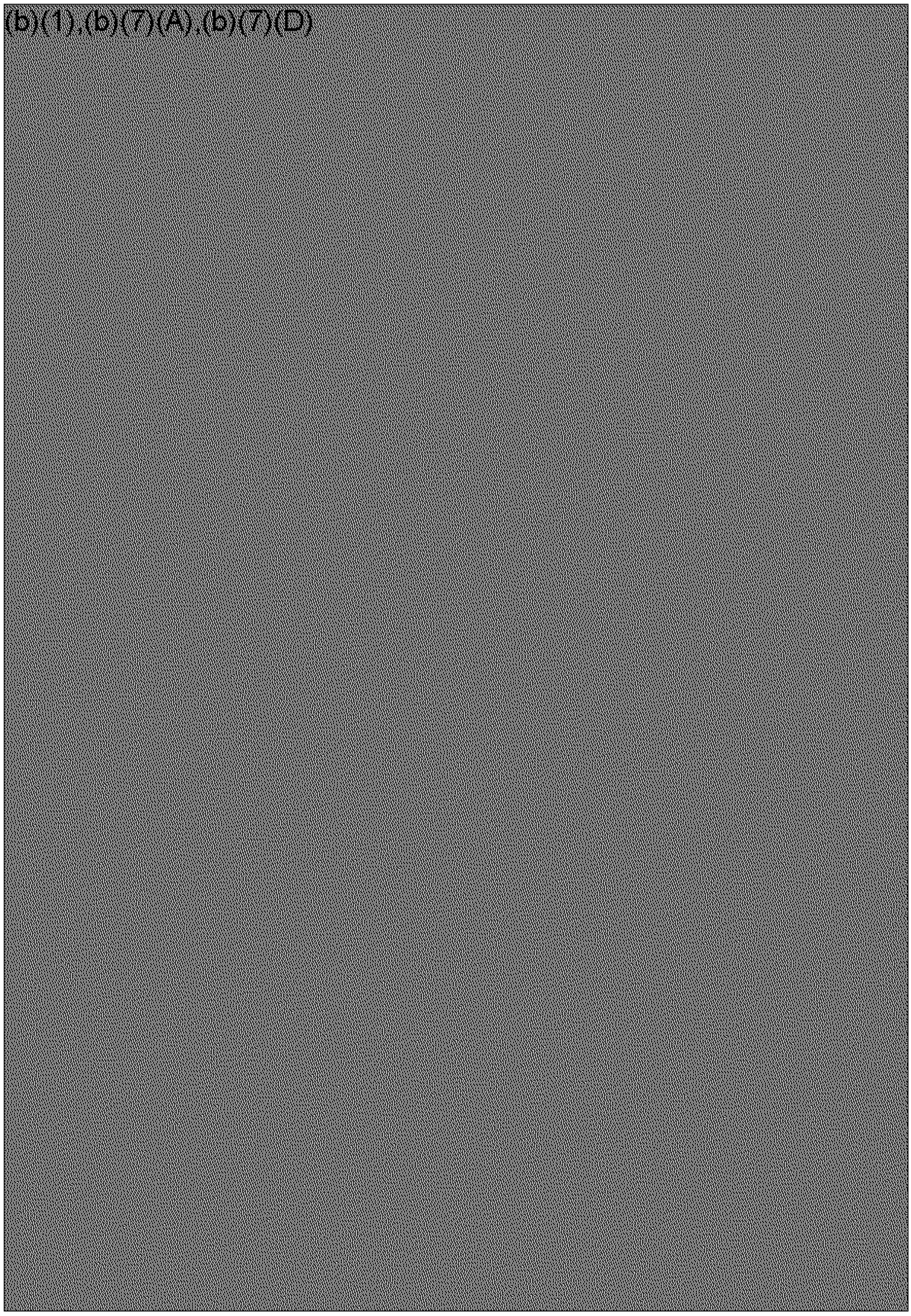
c. (U) Training

(b)(1)

d. (U) Operations, Combat and Capture

(b)(7)(A)

(b)(1),(b)(7)(A),(b)(7)(D)



(b)(1),(b)(5),(b)(7)(A)

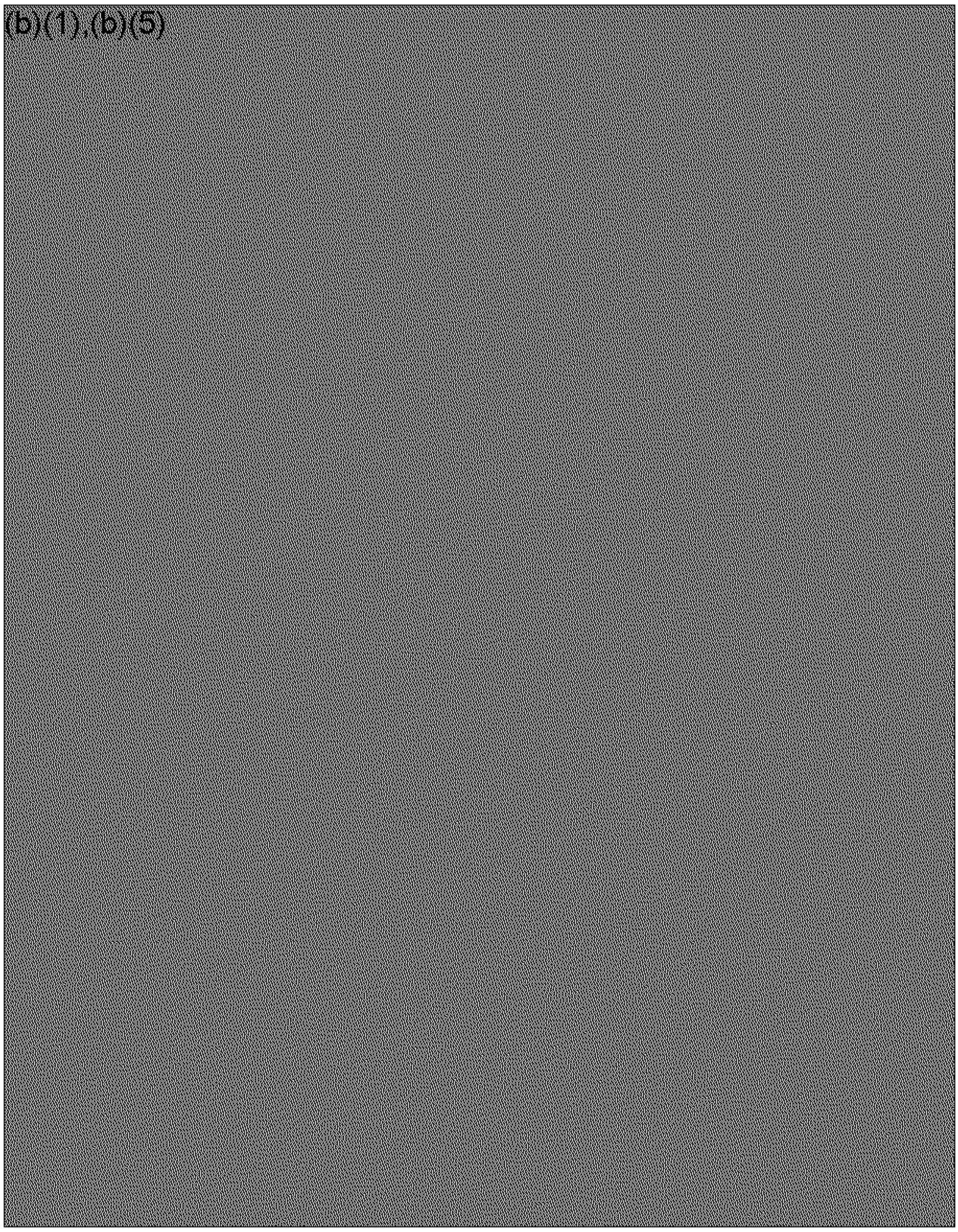
e. (U) **Organizational Affiliations**

(b)(1),(b)(5)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1),(b)(5)



g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5) .

(b)(1)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

ISN 782
Enclosure (4)
Page 9 of 9

~~SECRET//NOFORN~~

DEPARTMENT OF DEFENSE
OFFICE FOR THE ADMINISTRATIVE REVIEW OF THE DETENTION OF ENEMY COMBATANTS (OARDEC)
AT U.S. NAVAL BASE GUANTANAMO BAY, CUBA
1010 DEFENSE PENTAGON, WASHINGTON, D. C. 20301-1010

13 December 2007

From: Presiding Officer of Administrative Review Board Panel #110 (U)
To: Designated Civilian Official (U)
Via: Director, OARDEC (U) 13 Dec 08

Subj: (U) ASSESSMENT AND RECOMMENDATION FOR THE ADMINISTRATIVE REVIEW OF THE DETENTION OF ENEMY COMBATANT ISN 798 (U)

Ref: (a) (U) Deputy Secretary of Defense Order OSD 06942-04 of 11 May 04 (U)
(b) (U) Deputy Secretary of Defense Revised Implementation Directive of 14 Jul 06 (U)

Encl: (1) (U) Director, OARDEC, Memorandum for the Record of 26 November 2007 (U)
(2) (U) Notification of the Decision of an Administrative Review Board (U)
(3) (U) Enemy Combatant Election Form (U)
(4) (U) Statement Provided on Behalf of ISN 798 ~~(S)~~
(5) (U) Summary of Administrative Review Board Proceedings for ISN 798 (U)
(6) (U) Classified Record of Proceedings and Basis for Administrative Review Board Decision for ISN 798 ~~(S//OC/NF)~~
(7) (U) Copies of Documented Evidence Presented to the Board ~~(S//NF~~

1. (U) Per references (a) and (b), an Administrative Review Board was conducted on 6 December 2007 to determine whether subject Enemy Combatant continues to be a threat to the United States and its allies or whether there are reasons to further detain him in U.S. custody. Enclosures (1) through (7) pertain.

2. ~~(S//NF)~~ After review and deliberation, Administrative Review Board Panel #110 determined by a vote of 3 to 0 that Enemy Combatant ISN 798 (b)(5) (b)(5) The Board specifically determined the following:

Threat Assessment
Intelligence Value
Other Factors

(b)(5)

3. ~~(S//NF)~~ The Administrative Review Board recommends to the Designated Civilian Official that th (b)(5)

(b)(3):10 USC §130b (b)(6)

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 798

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after it is presented. The AMO further presented correspondence on behalf of the EC as Exhibit EC-C, identified herein as enclosure (4).

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to each allegation/statement in the Unclassified Summary. In addition, the EC provided additional comments to each allegation/statement. The EC answered a series of questions from the ARB, which included inquiries regarding his travel, his weapons training, his view of the Taliban, his refugee status, why he was arrested, his future plans, his perception of U.S. forces, and his treatment at Guantanamo Bay, Cuba. All EC testimony and comments are included in enclosure (5).

(b)(1)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the EC Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) **Recruitment**

(b)(5)

b. (U) **Travel**

(b)(5)

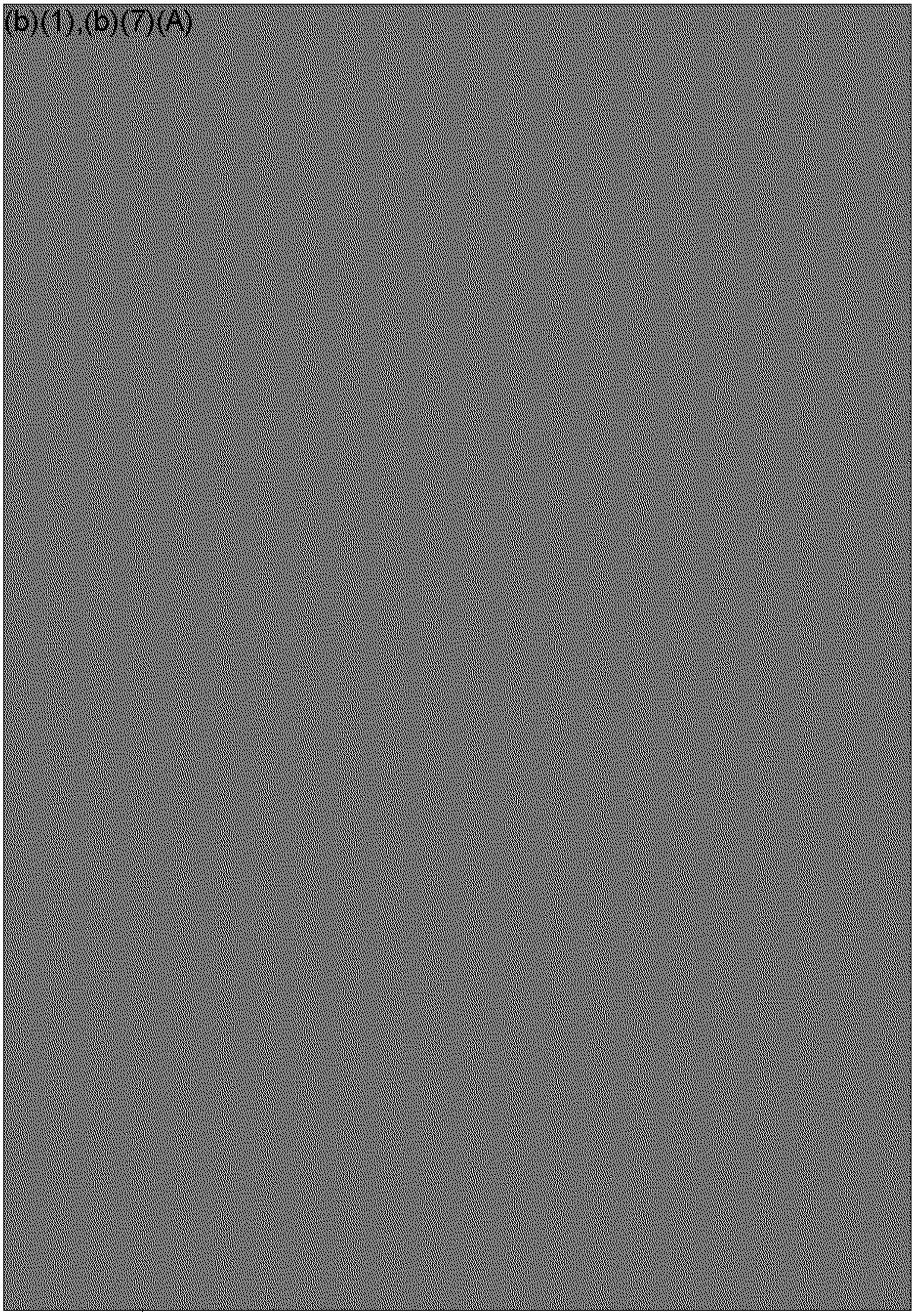
c. (U) **Training**

(b)(1)

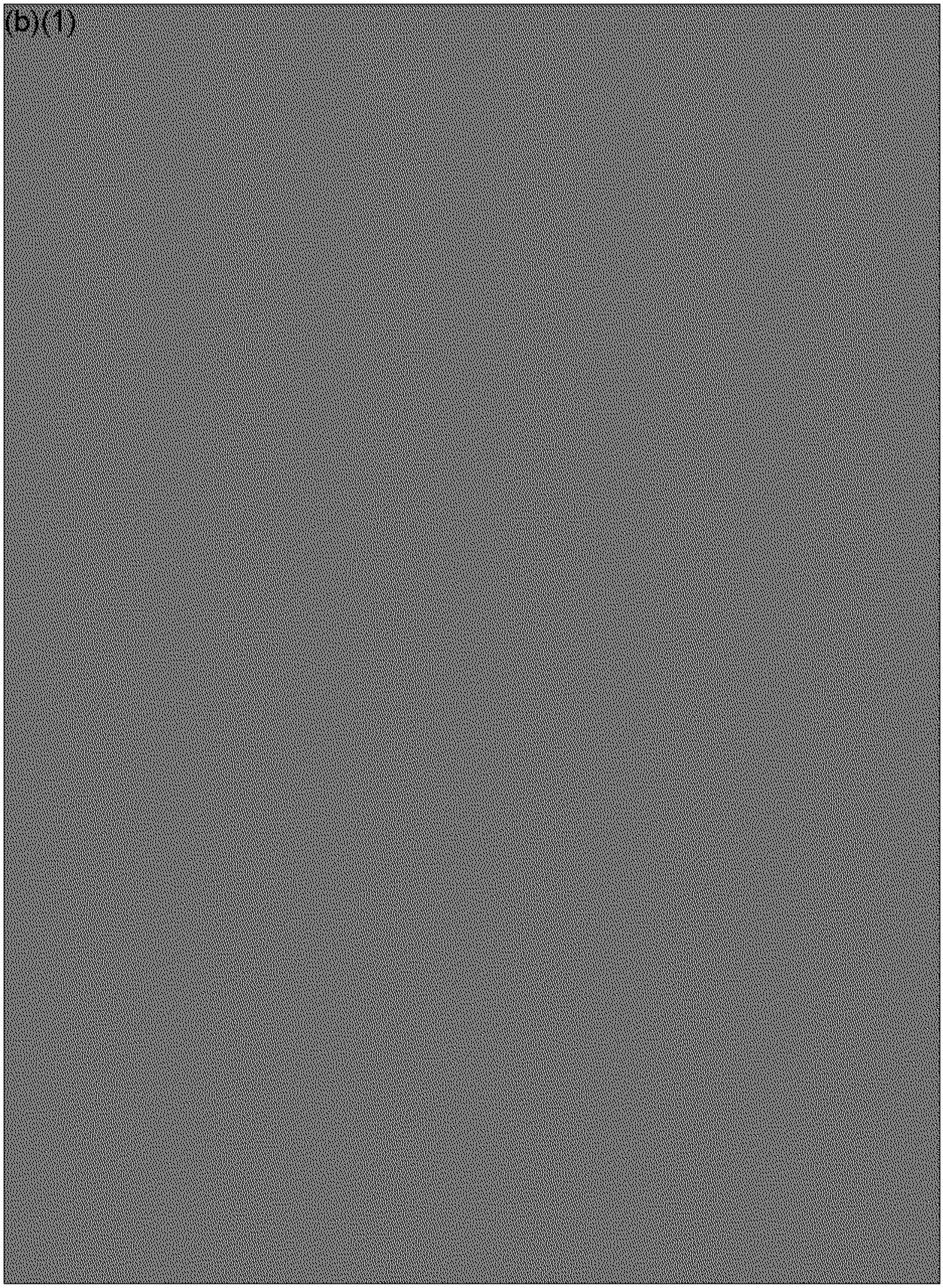
d. (U) **Operations, Combat and Capture**

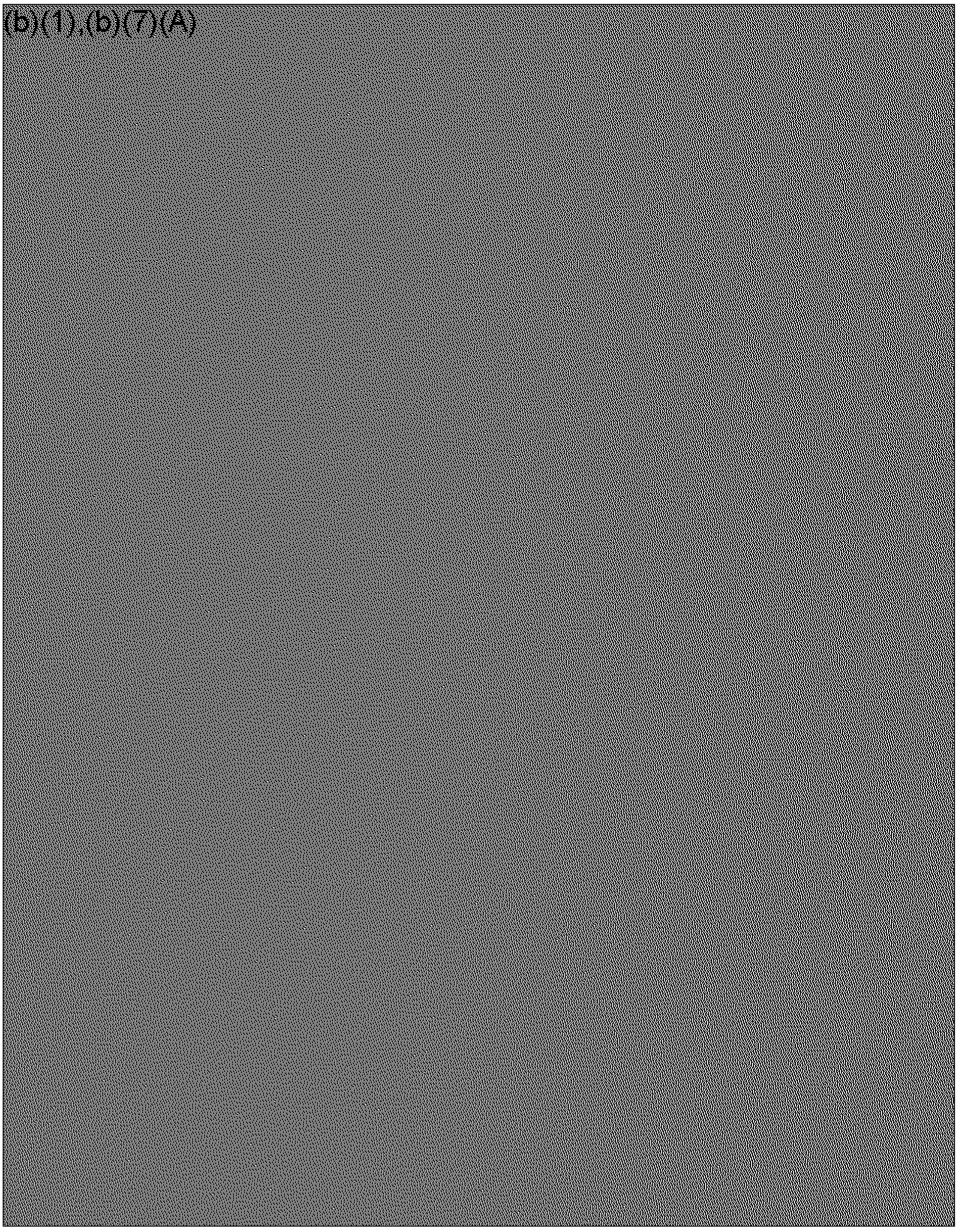
(b)(1)

(b)(1),(b)(7)(A)



(b)(1)




(b)(1),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

(i) (U) DHS reported the Hezb-e-Islami Gulbuddin has long-established ties with Usama bin Laden. Hezb-e-Islami Gulbuddin has staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghani Transitional Administration, and establish a fundamentalist state. DHS reported Gulbuddin Hikmatyar founded the Hezb-e-Islami Gulbuddin and it was one of the major mujahedin groups in the war against the Soviets. In the early 1990s, Hikmatyar ran several terrorist training camps in Afghanistan and was a pioneer in sending mercenary fighters to other Islamic conflicts. DHS reported Hikmatyar offered to shelter Usama bin Laden after the latter fled Sudan in 1996. (DMO-2)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1)

5. (U) Third Party / Home Country Statements

a.(U) The EC is a citizen of Afghanistan. The EC provided a statement from his home country on behalf of the EC, herein enclosed as Enclosure (4), Exhibit EC-C.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **EC Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 Jan 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 832 (AFGHANISTAN)**

- Subject ARB was held on 30 August 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (b)(5) Detain) 1-6-07 (b)(5) (b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 832

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive and refused to attend the interview.

d. (U) The EC refused to leave his cell for the interview. In accordance with Standard Operating Procedures, the Joint Detention Group (JDG) liaison hand-carried two copies of the Unclassified Summary of Evidence, English and Pashtu translated, to the JDG point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) Recruitment

(b)(1)

b. (U) Travel

(b)(1)

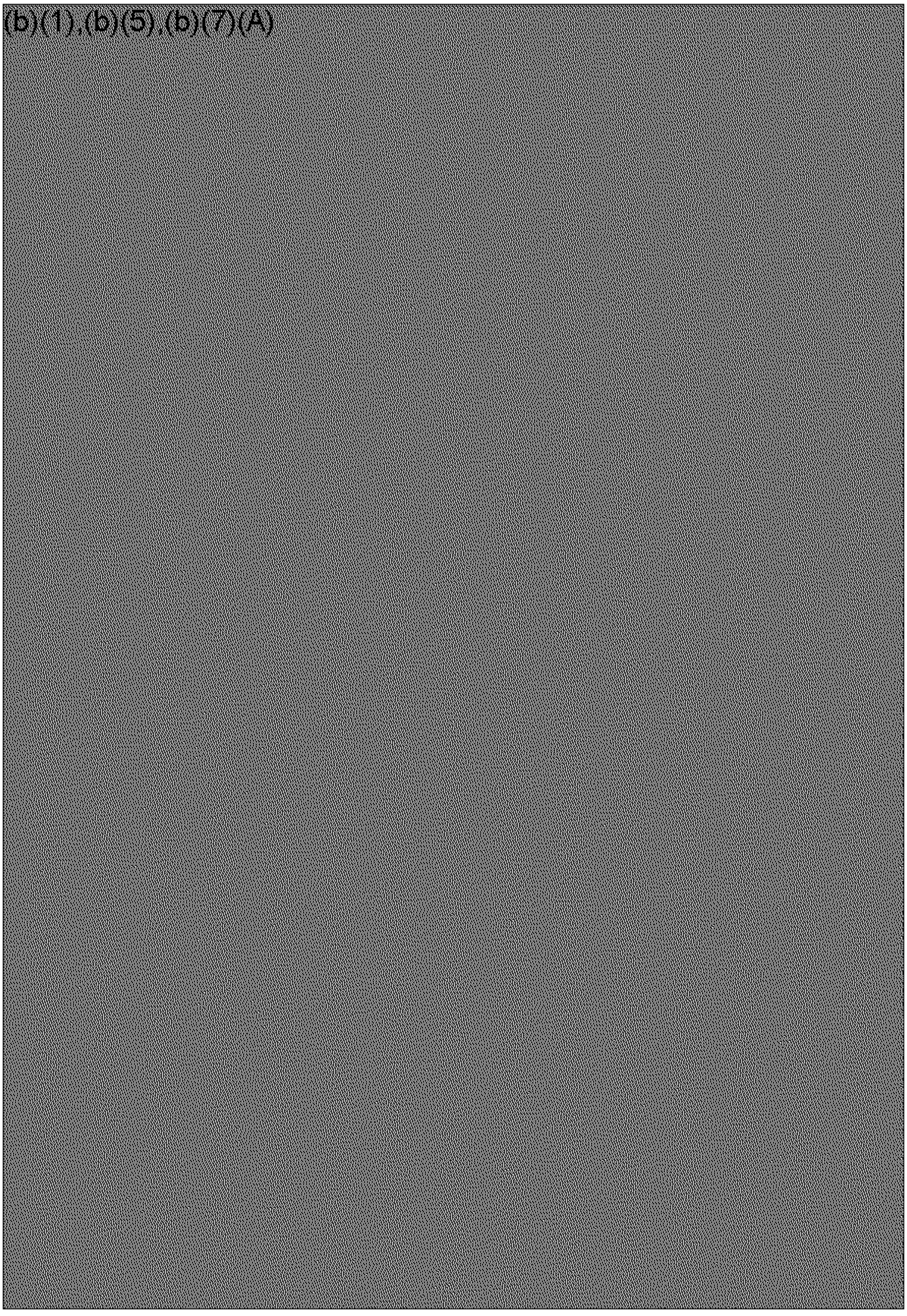
c. (U) Training

(b)(1)

d. (U) Operations, Combat and Capture

(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)



(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

(b)(1)

(a) (U) The Hezb-e-Islami Gulbuddin is listed in the Department of Homeland Security's Terrorist Organization Reference Guide. Gulbuddin Hikmatyar founded Hezb-e-Islami Gulbuddin as a faction of the Hezb-e-Islami party in 1977, and it was one of the major mujahedin groups in the war against the Soviets. Hezb-e-Islami Gulbuddin has long-established ties with bin Laden. In the early 1990s, Hikmatyar ran several terrorist training camps in Afghanistan and was a pioneer in sending mercenary fighters to other Islamic conflicts. Hezb-e-Islami Gulbuddin has staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghani Transitional Administration and establish a fundamentalist state. (DMO-4)

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

(b)(1),(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material presented on behalf of ISN 832, herein enclosed as enclosure (4). There were no other matters submitted on behalf of ISN 832.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 836 (YEMEN)**

- Subject ARB was held on 13 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 1-25

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 836

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed two copies of the Unclassified Summary of Evidence, English and Arabic translated, were delivered to the Joint Detention Group (JDG) point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the EC Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) Recruitment

(b)(1),(b)(7)(A)

b. (U) Travel

(b)(7)(A)

(b)(1),(b)(7)(A)

c. (U) **Training**

(b)(7)(A)

(b)(1),(b)(7)(A)

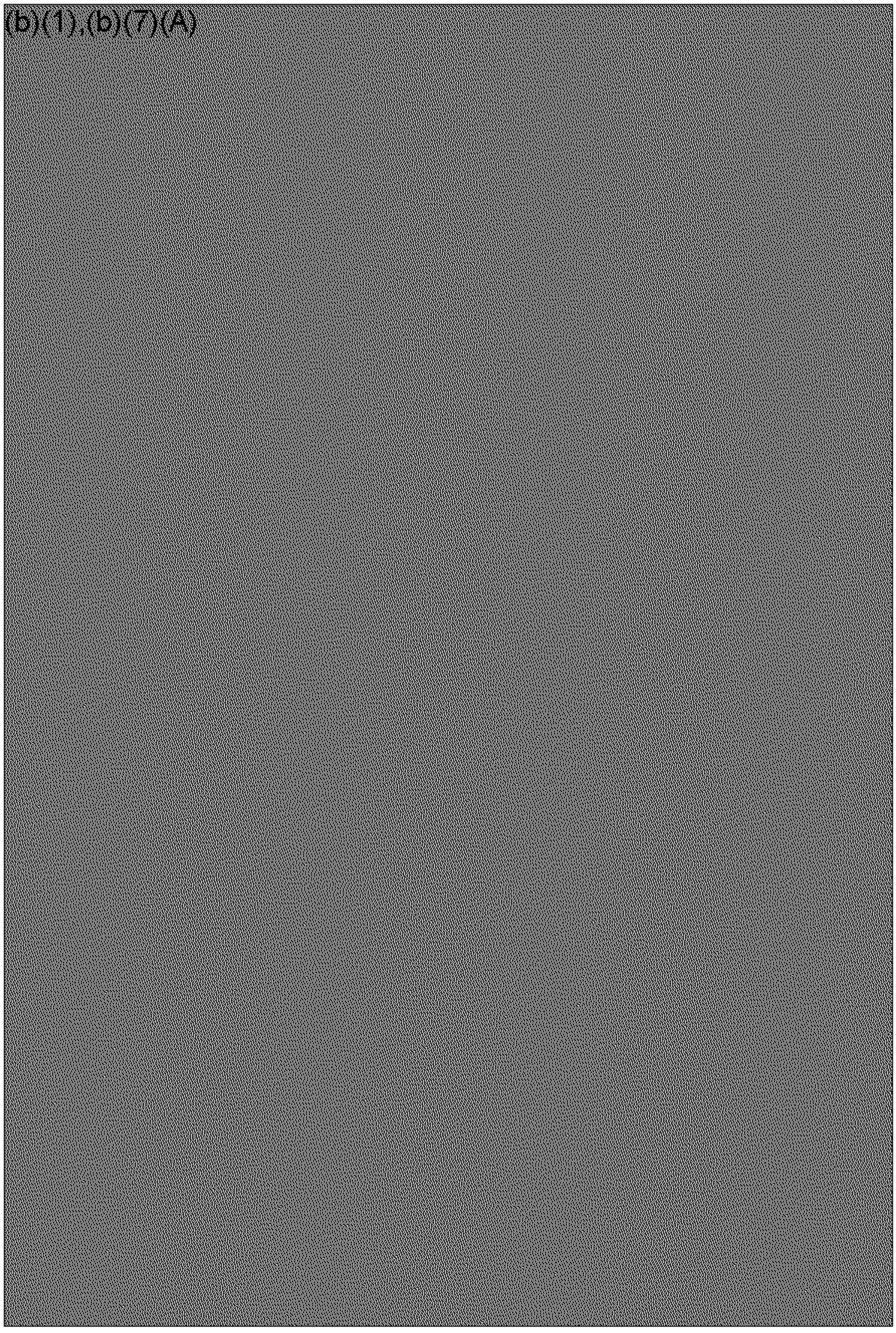
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d. (U) **Operations, Combat and Capture**

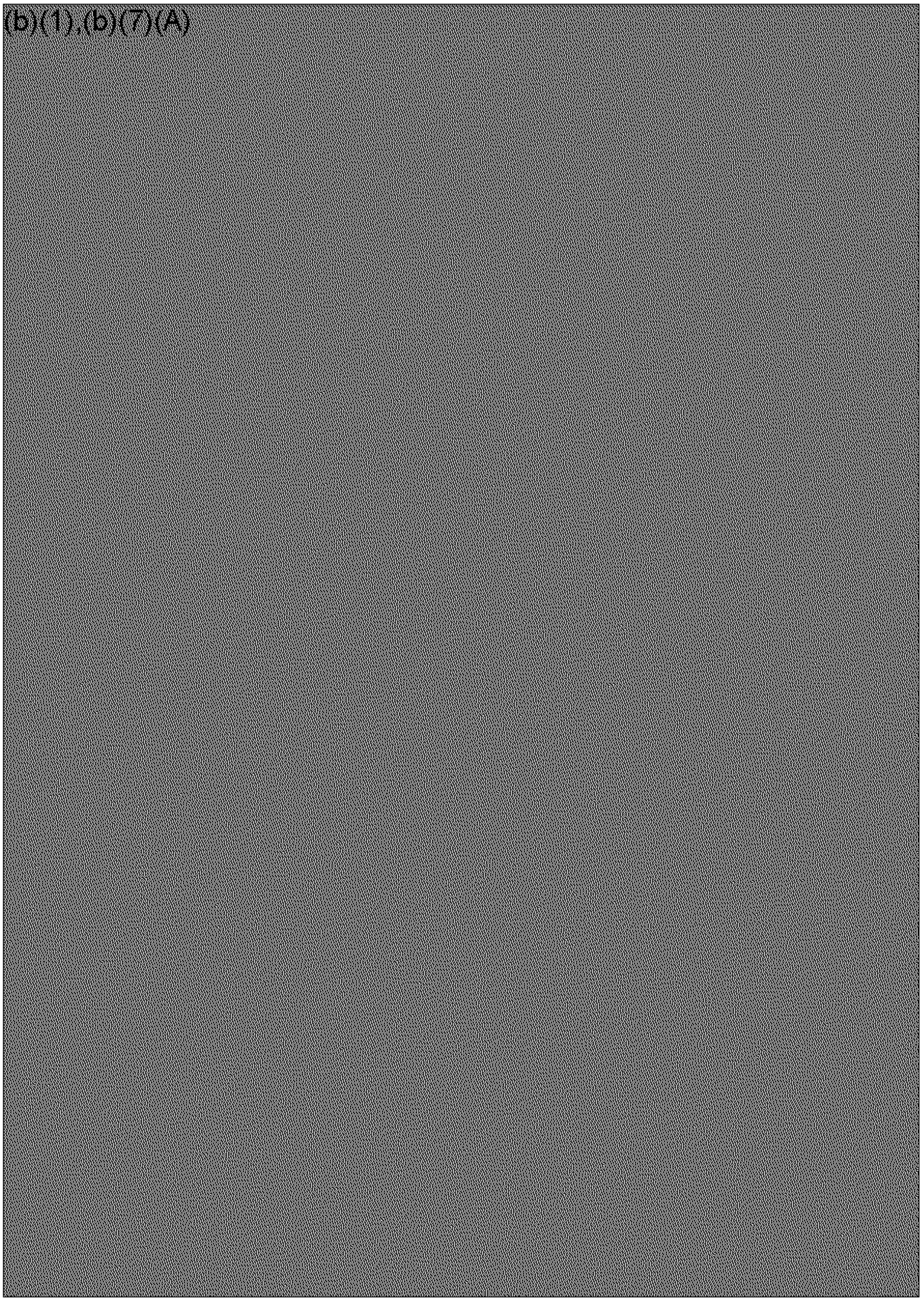
(b)(7)(A)

[redacted]

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(7)(A)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

8. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(1),(b)(5)

c. ~~(S//NF)~~ **Recommendation** (b)(5)

9. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/23/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 837 (YEMEN)**

- Subject ARB was held on 20 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 2-1-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 837

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC appeared to understand the process. Copies of both the English and Arabic translated Unclassified Summary of Evidence were offered to the EC according to Joint Detention Group Standard Operating Procedures, however the EC did not accept the documents.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the EC Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

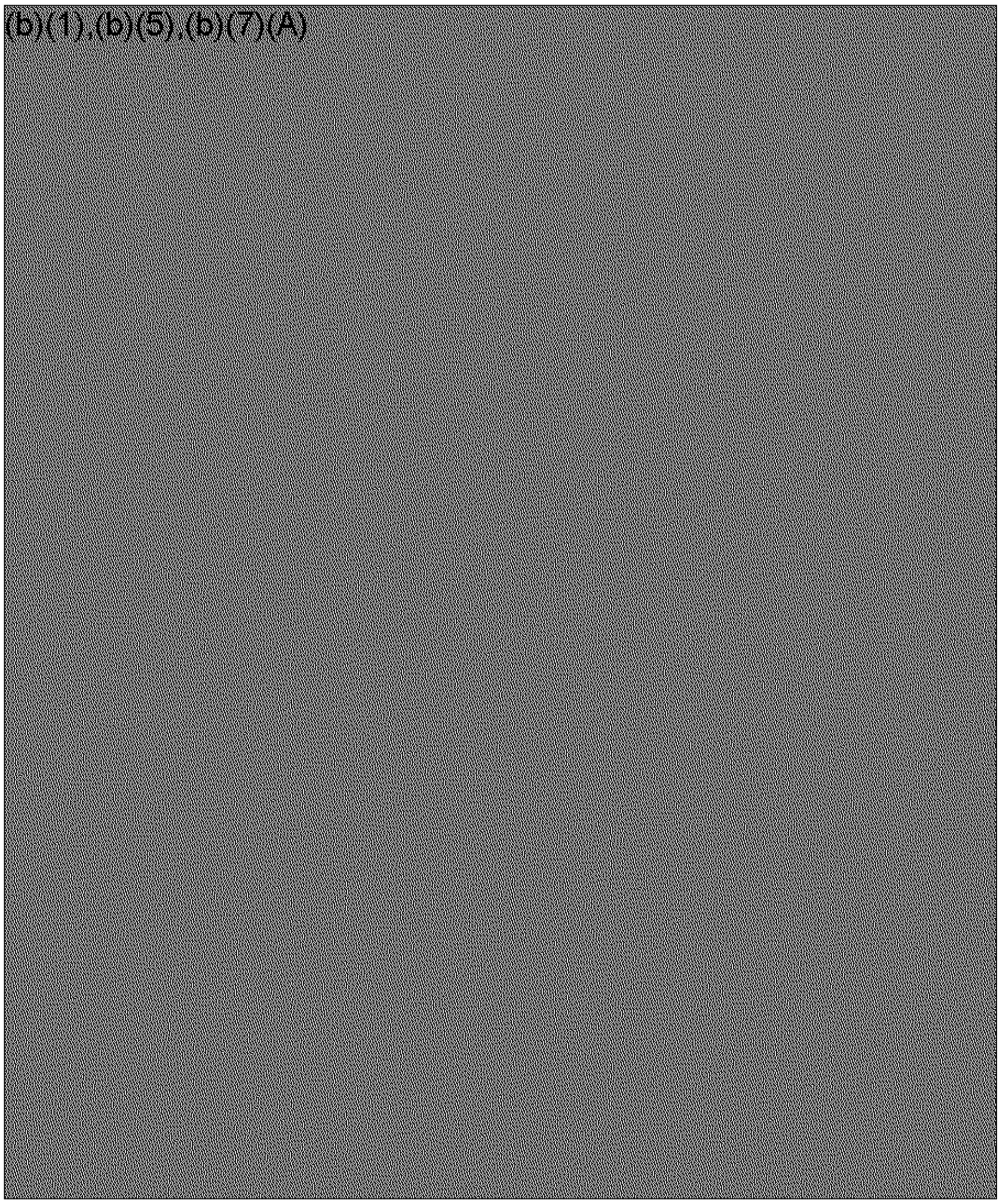
(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) **Recruitment**

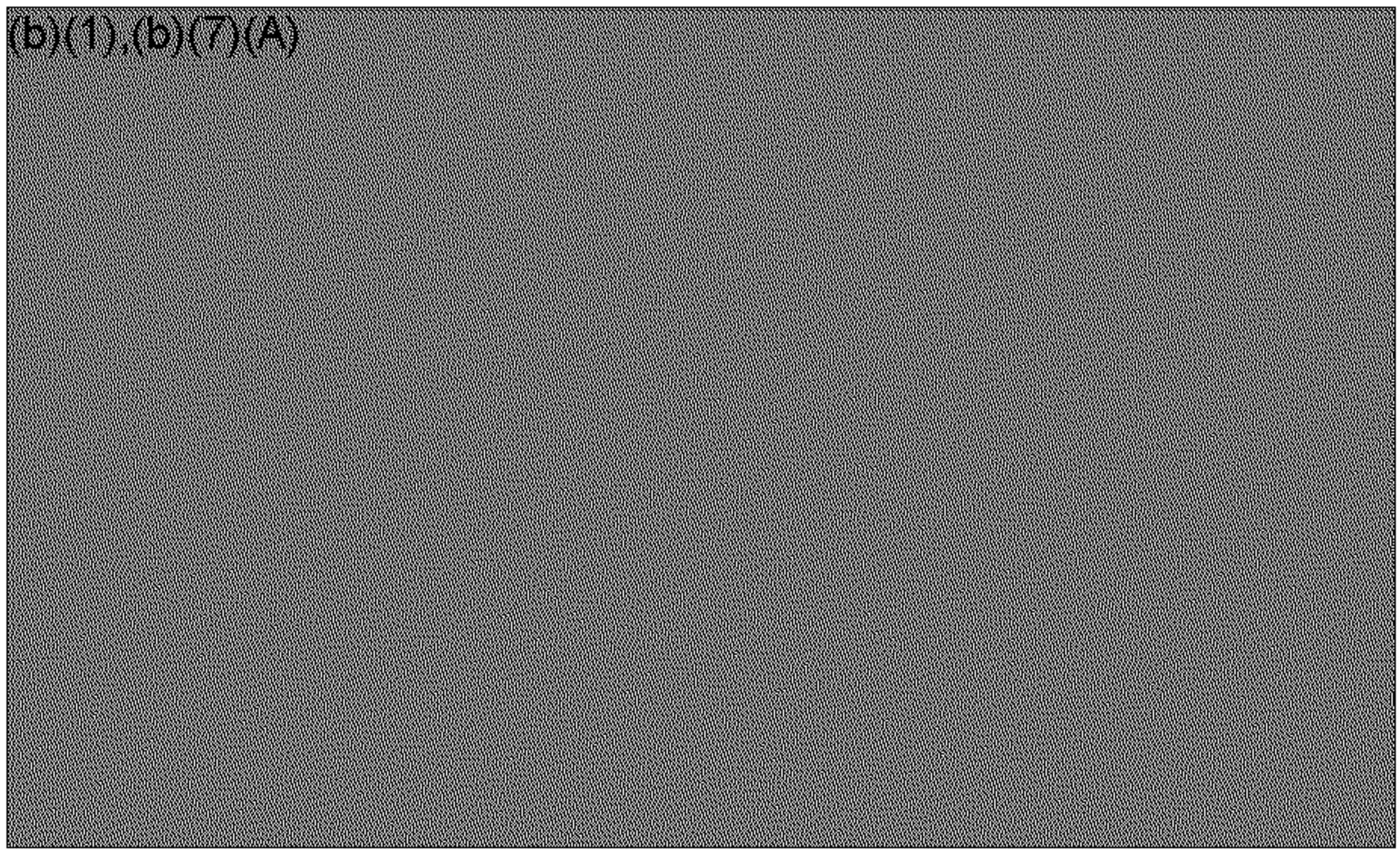
(b)(1),(b)(7)(A)

b. (U) **Travel**

(b)(1),(b)(5),(b)(7)(A)

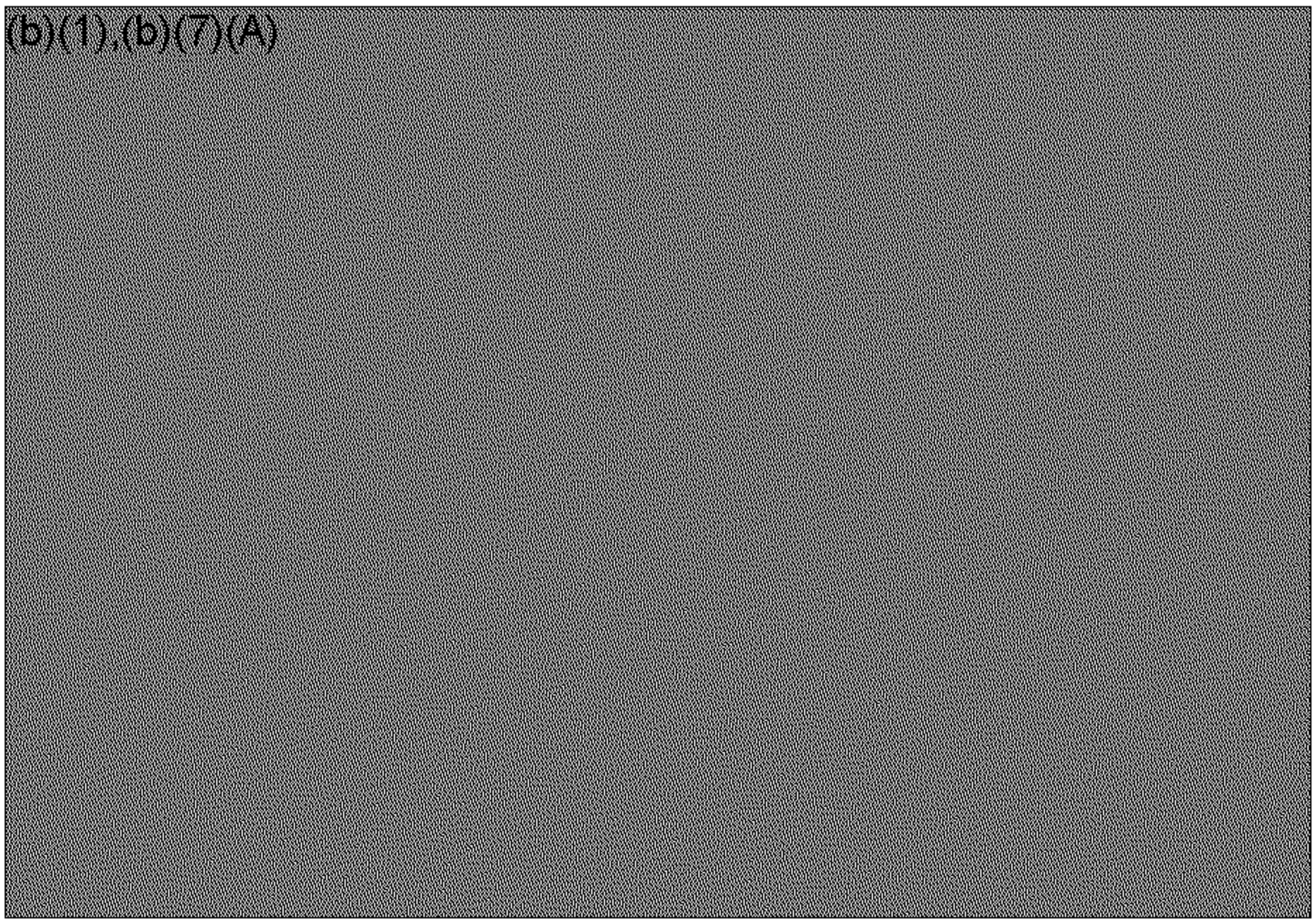


(b)(1),(b)(7)(A)

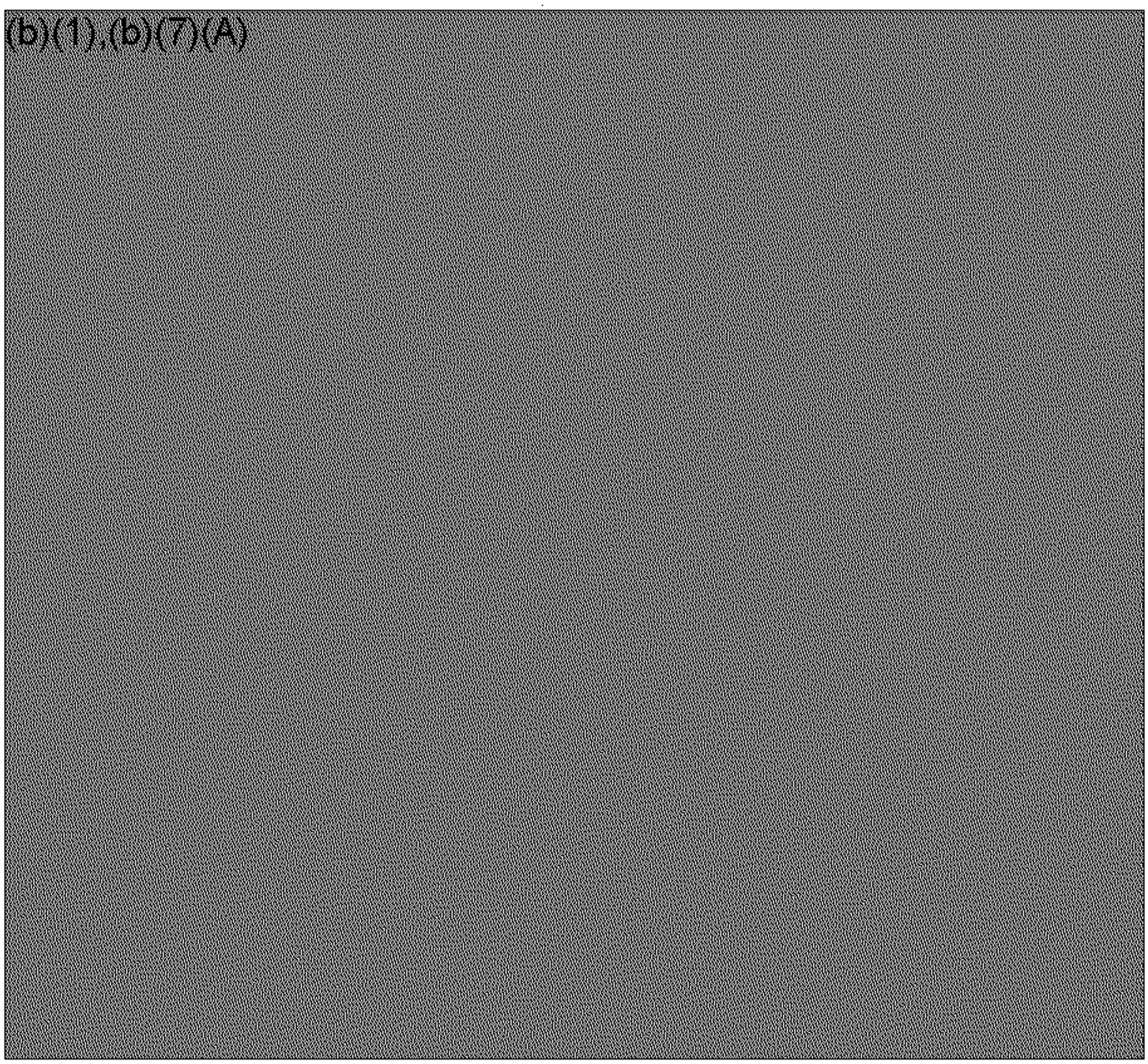


c. (U) **Training**

(b)(1),(b)(7)(A)

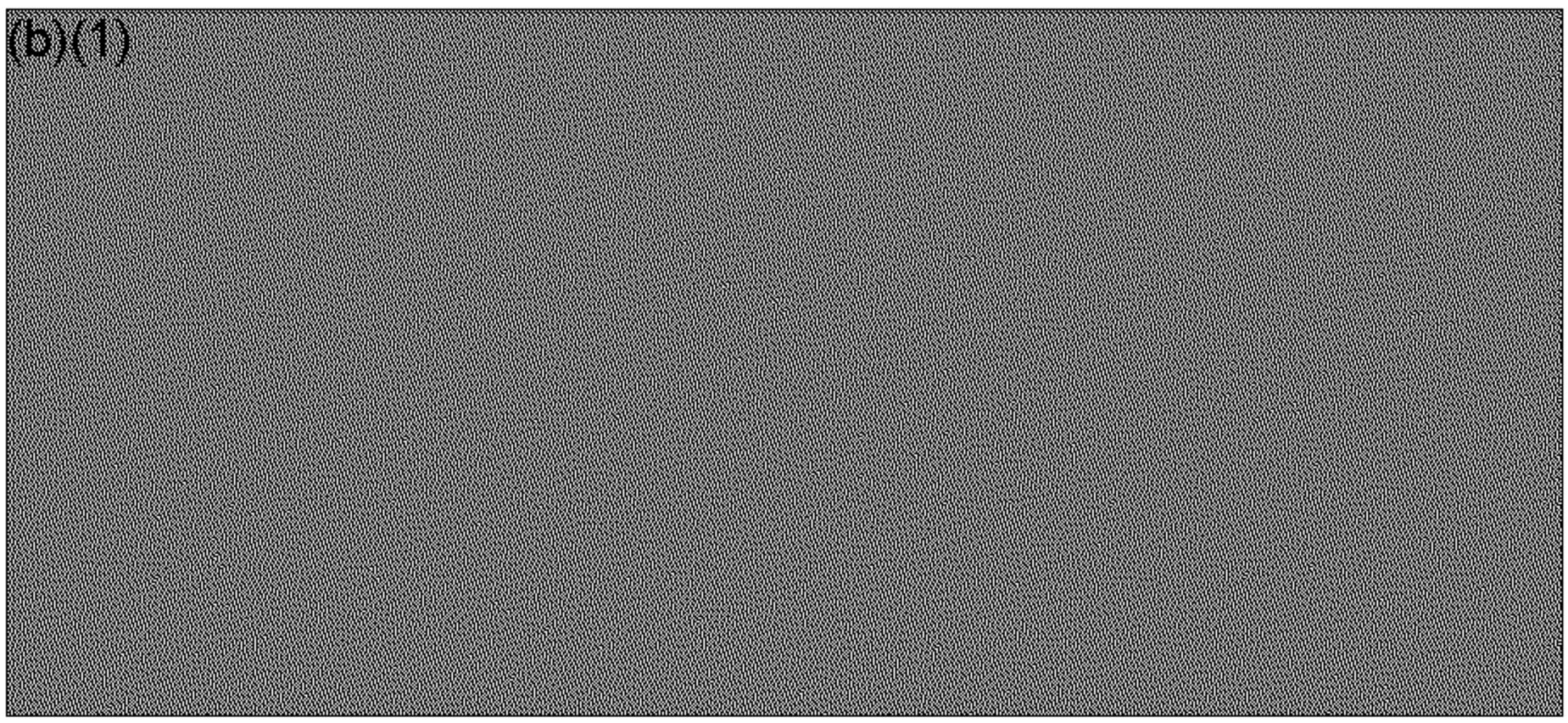


(b)(1),(b)(7)(A)



d. (U) **Operations, Combat and Capture**

(b)(1)



(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of [redacted] due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

(b)(1)

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/14/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 838 (YEMEN)**

- Subject ARB was held on 13 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5):

(b)(5) (Detain) _____ 1-18-08

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 838

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the EC Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6):

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1),(b)(7)(A)

c. **(U) <u>Training</u>**

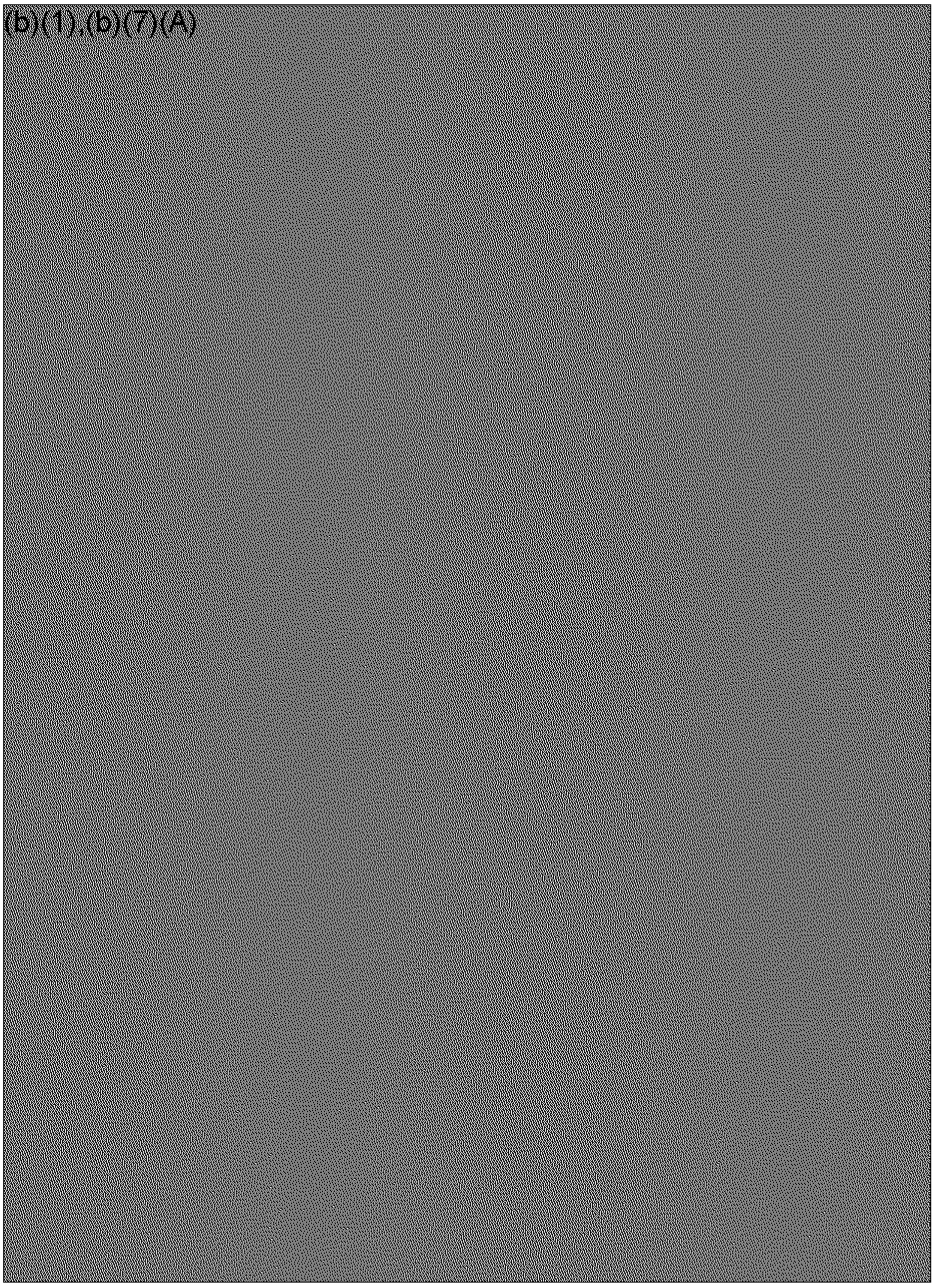
(b)(1)

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(7)(A)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. **(U) Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

[redacted]

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 25/14/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 839 (YEMEN)**

- Subject ARB was held on 27 December 2007 resulting in a unanimous recommendation to (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) (Detain) 1-18-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 839

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO presented to the Board comments the EC made during the AMO's interview about information contained in the Unclassified Summary of Evidence. The EC's comments are documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(1)

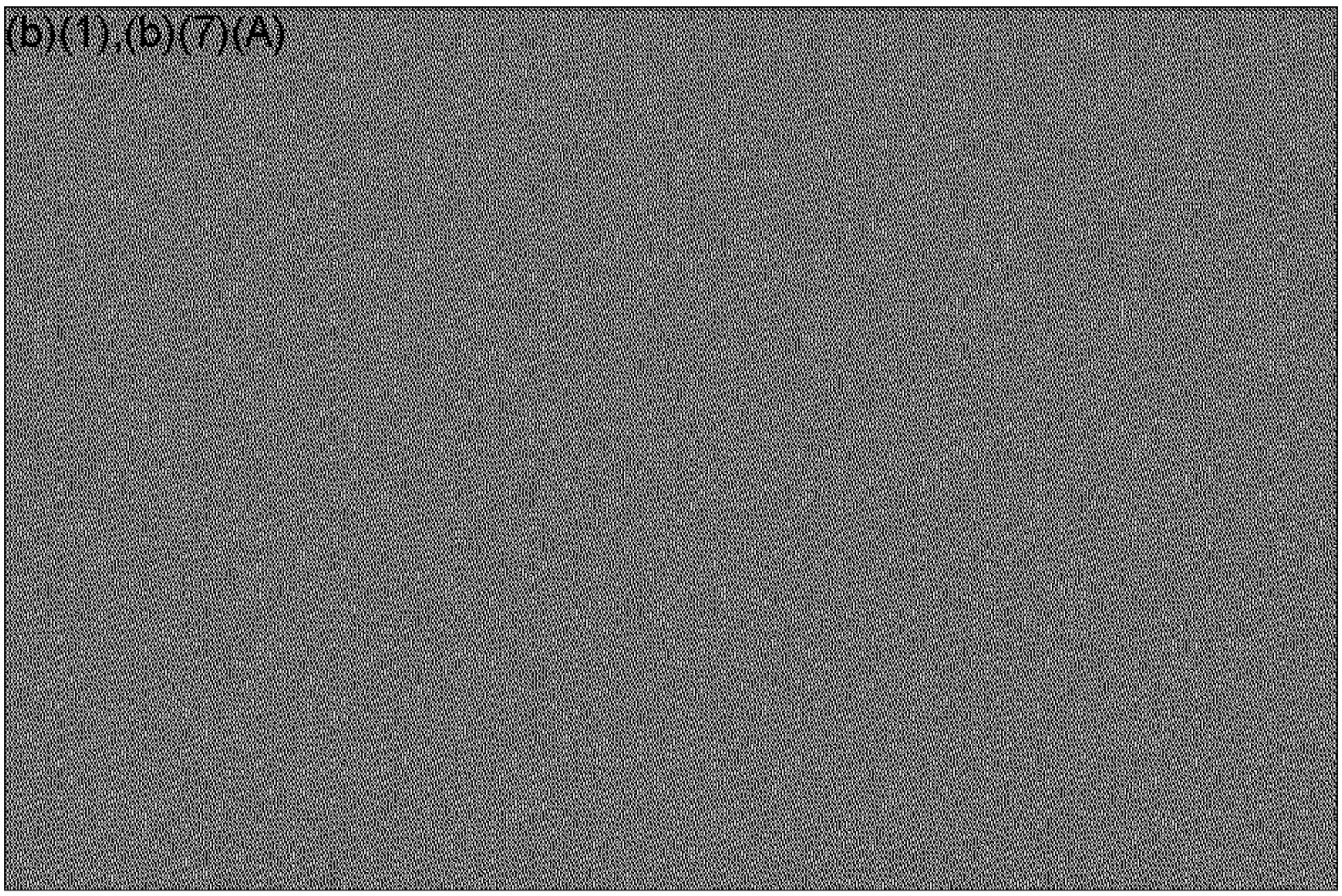
b. (U) **Travel**

(b)(1)

(b)(1),(b)(7)(A)

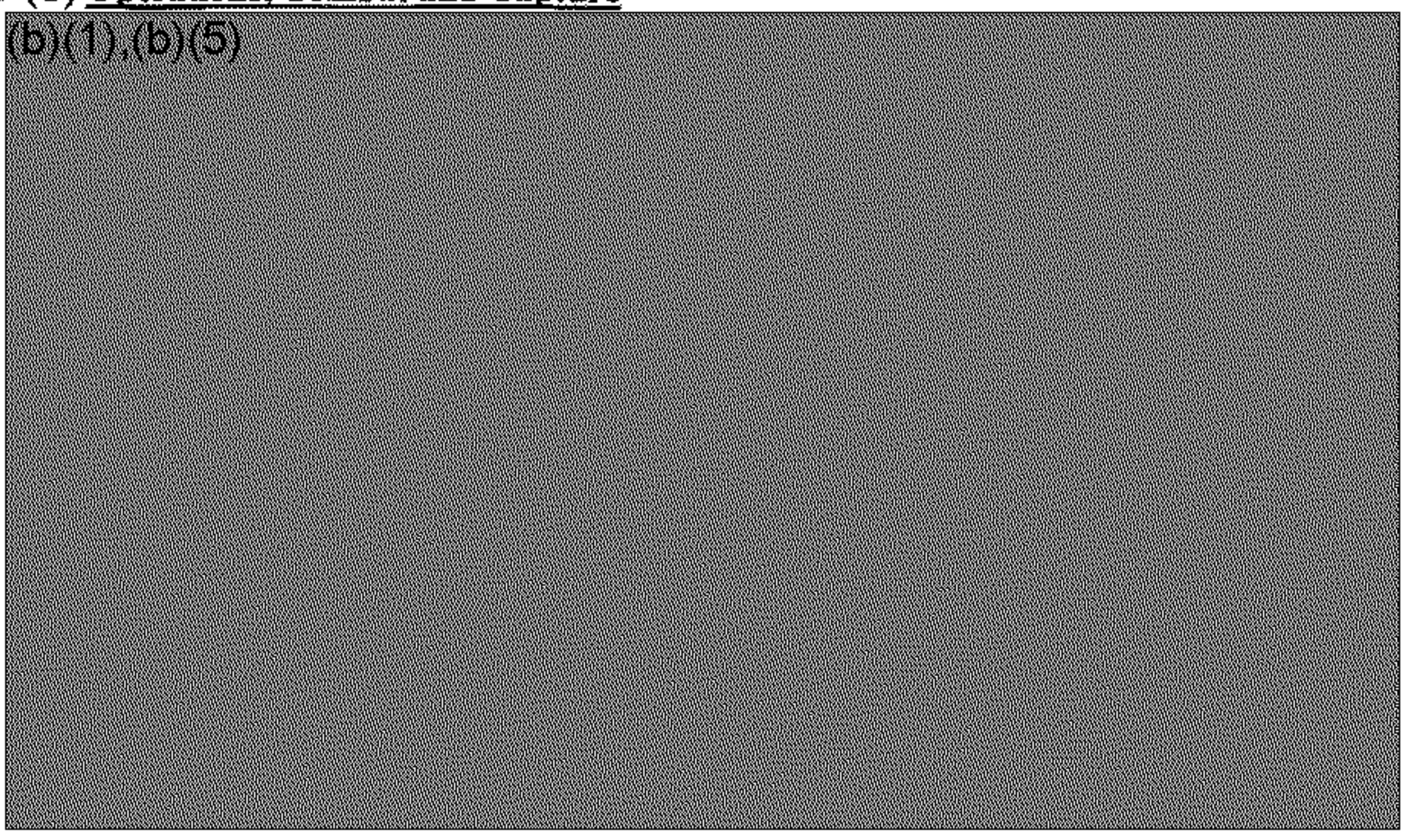
c. (U) Training

(b)(1),(b)(7)(A)



d. (U) Operations, Combat and Capture

(b)(1),(b)(5)



(b)(1),(b)(5)

e. (U) **Organizational Affiliations**

(b)(5)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 839, identified herein as enclosure (6). There were no other matters submitted on behalf of ISN 839.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(1) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

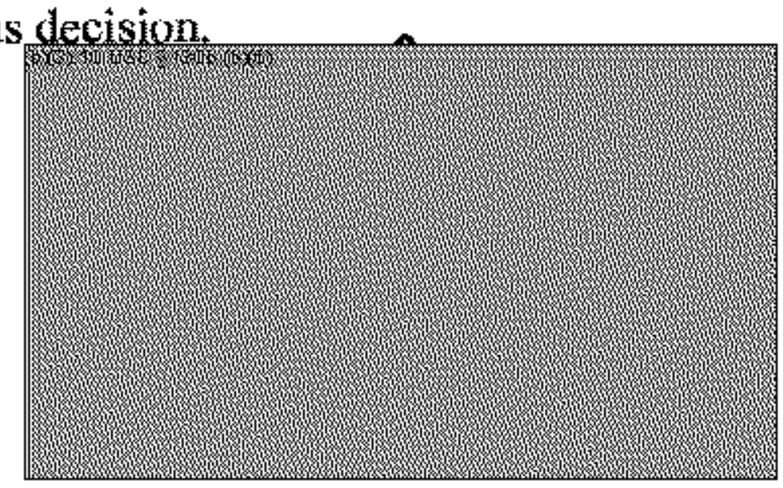
(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.



Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 18/12/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 840 (YEMEN)**

- Subject ARB was held on 14 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) _____ 12-18-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 840

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1),(b)(5)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1),(b)(7)(A)

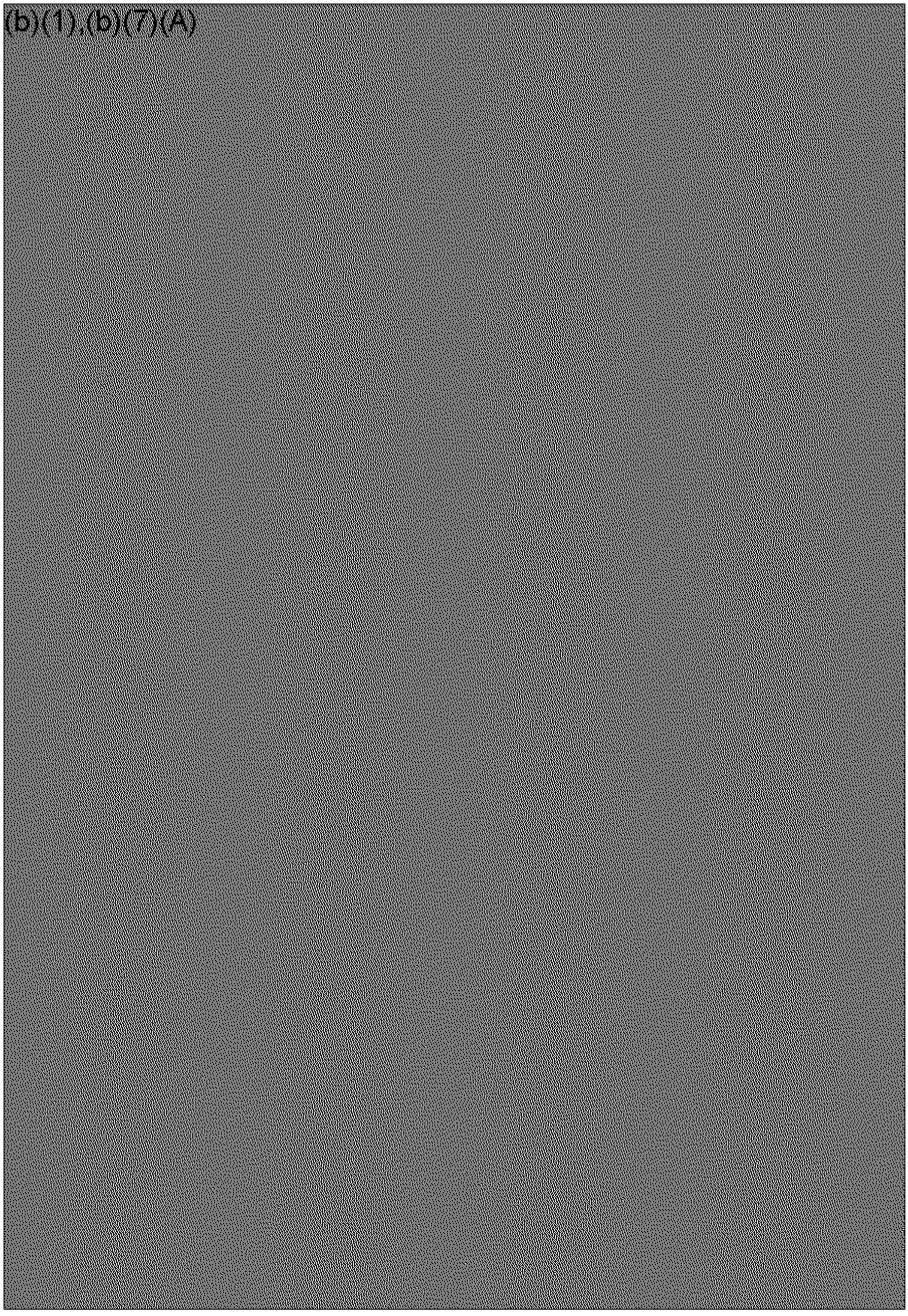
b. **(U) <u>Travel</u>**

(b)(1)

c. **(U) <u>Training</u>**

(b)(1)

(b)(1),(b)(7)(A)

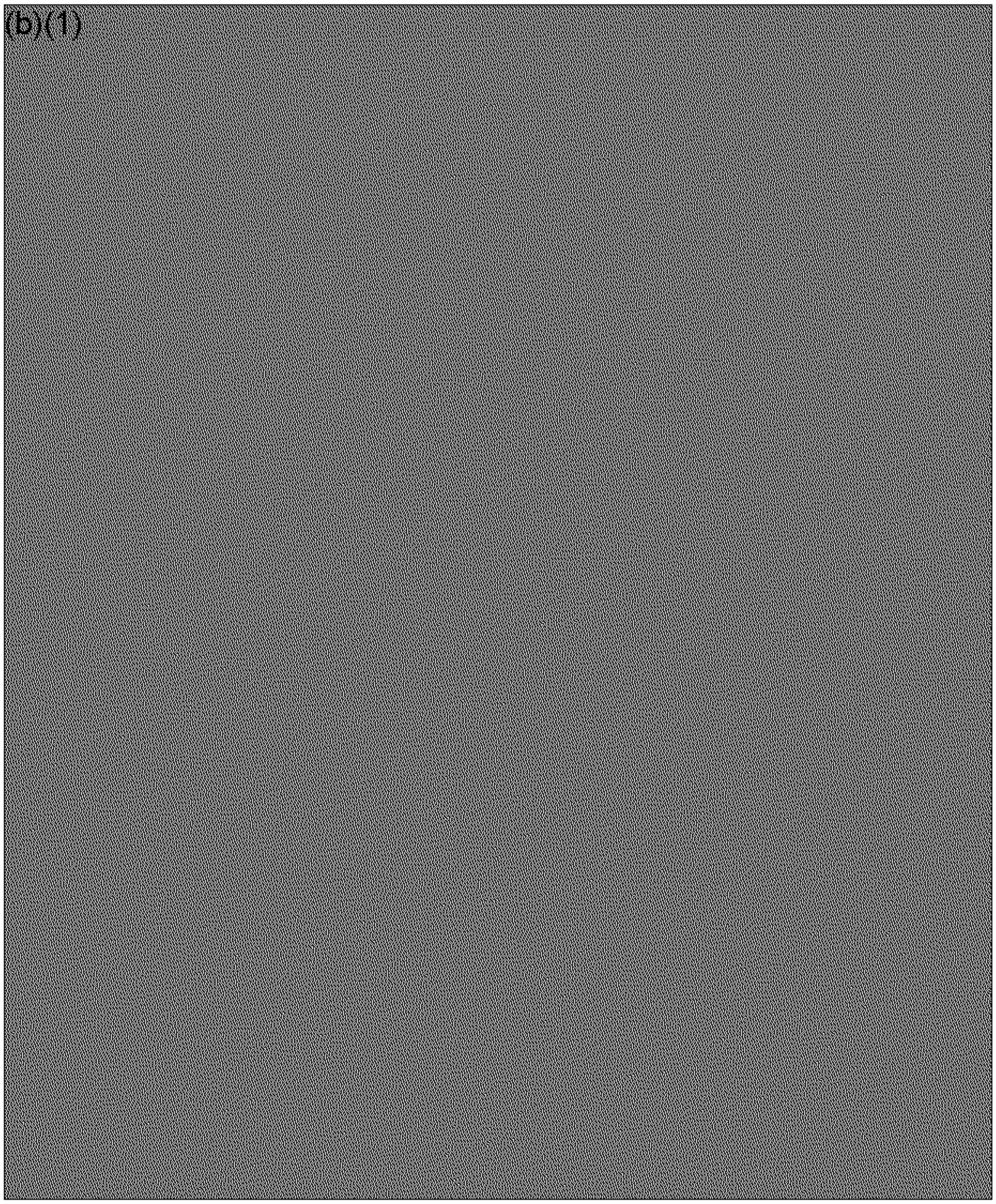


(b)(1),(b)(7)(A)

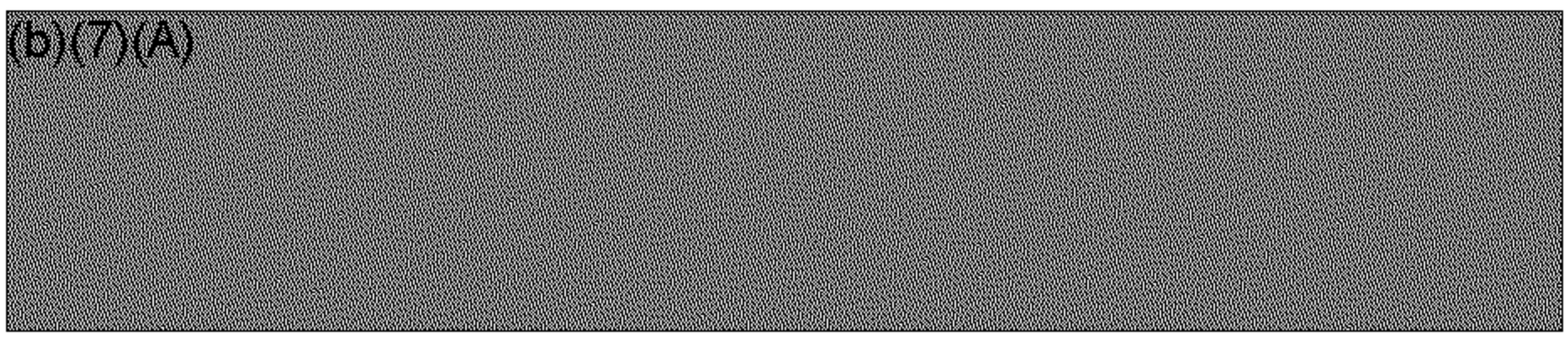
d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1)

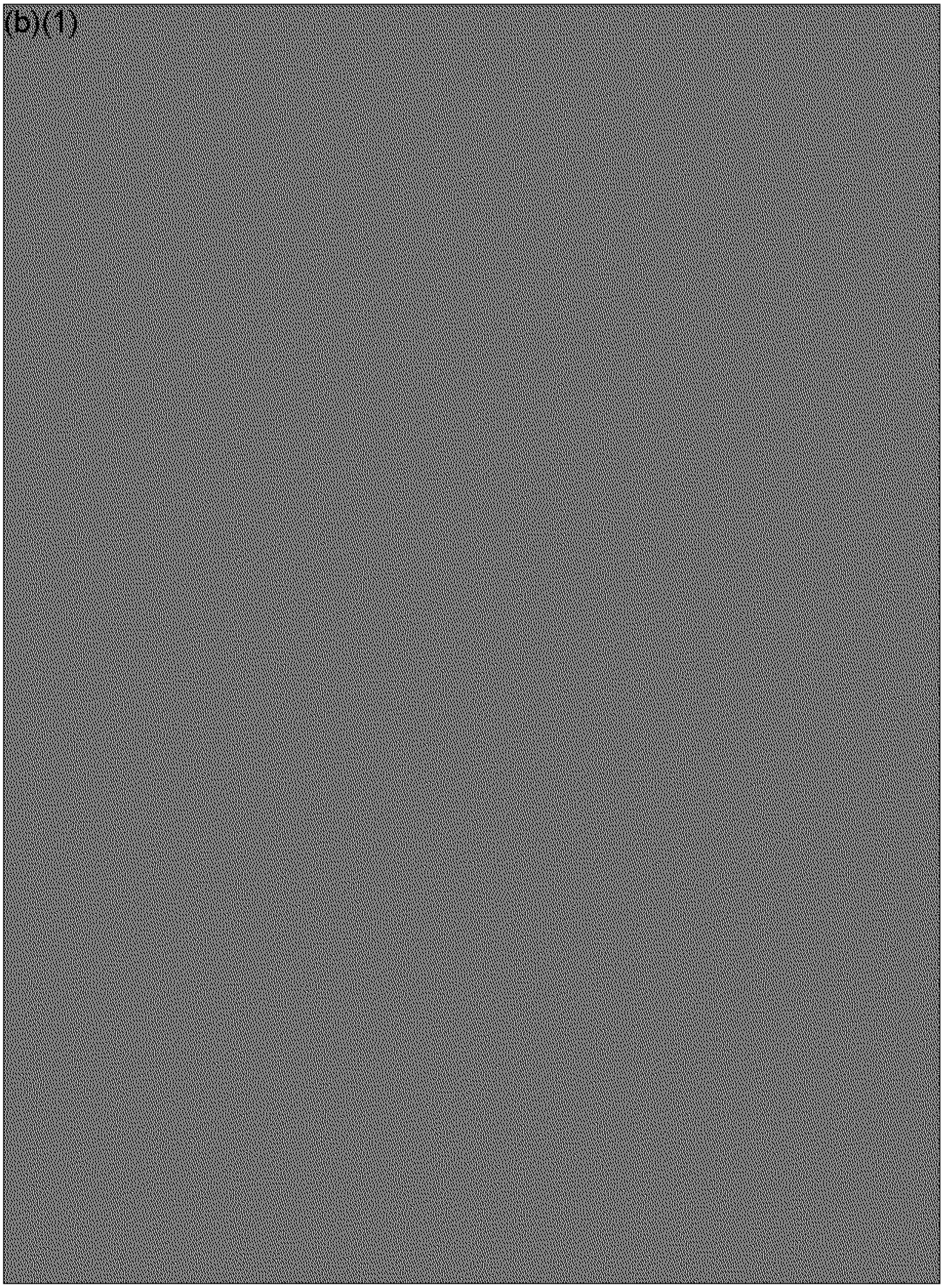


(b)(7)(A)



(b)(7)(A)

(b)(1)



ISN 840
Enclosure (6)
Page 7 of 10

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of**

(b)(1)

(b)(1)

5. **(U) Third Party / Home Country Statements**

a. (U) The EC is a citizen of Yemen. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 840, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 840.

6. **(U) Consultations with the Administrative Review Board Legal Advisor**

(b)(2)

7. **(U) Conclusions and Recommendation of the Administrative Review Board**

a. ~~**(S//NF)**~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~**(S//NF)**~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration** (b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 3/10/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 841 (YEMEN)**

- Subject ARB was held on 13 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 3-17-08

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 841

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The AMO responded verbally, on behalf of the EC, to each allegation/statement in the Unclassified Summary. All EC comments are included in enclosure (4).

(b)(1),(b)(5)

g. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

h. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

(b)(1),(b)(7)(D)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

(b)(7)(A)

(3) (U) The EC stated that his interrogator in Cuba told him if he did not respond to their questions they would send him back to the dark prison. The EC stated he just made up things to keep from being sent back to Kabul. (Enclosure 3). This allegation could not be corroborated.

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

a. (b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.**

(b)(5)

(2)(U) The EC alleges "that his interrogator in Cuba told him if he did not respond to their questions they would send him back to the dark prison, and he just made up things to keep from being sent back to Kabul" (Enclosure 3). The allegation appears to rise to the level of coercion on its face. An investigation has been initiated but is not completed. Therefore, the Board found that it is not practicable to determine if the EC's statements were coerced. The Board found the EC's statements were probative based on the following factors:

(b)(1)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

b. (U) **Travel**

(b)(7)(A),(b)(7)(D)

c. (U) **Training**

(b)(1),(b)(7)(A),(b)(7)(D)

(b)(1),(b)(7)(A)

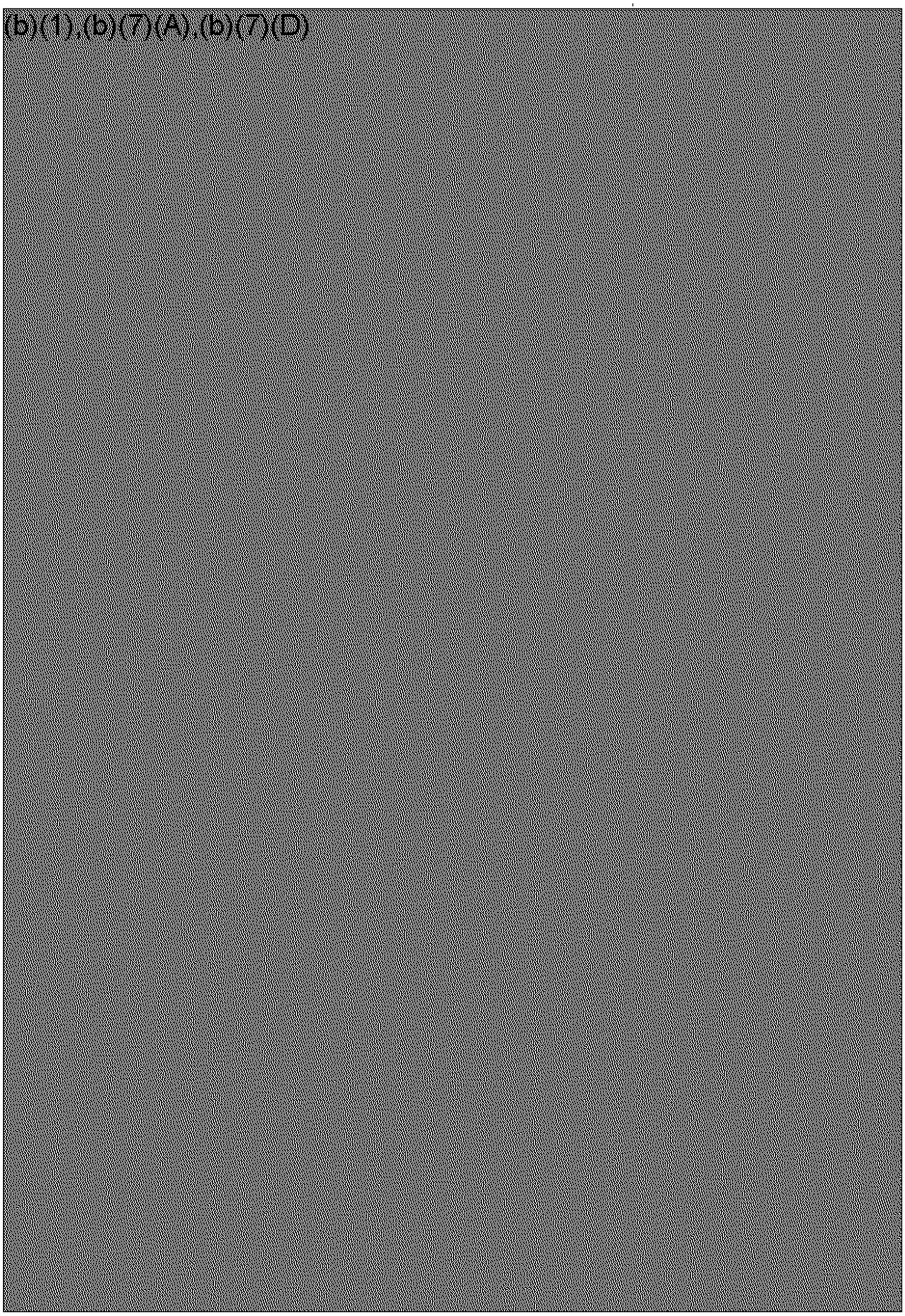
d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b) (U) The 55th Abab Brigade were trained in Usama bin Laden's terror camps and are the Taliban's most dedicated and highly skilled soldiers; the elite of the al Qaida fighters. (DMO-2)

(b)(1),(b)(7)(D)

(b)(1),(b)(7)(A),(b)(7)(D)



ISN 841
Enclosure (5)
Page 5 of 11

(b)(1)

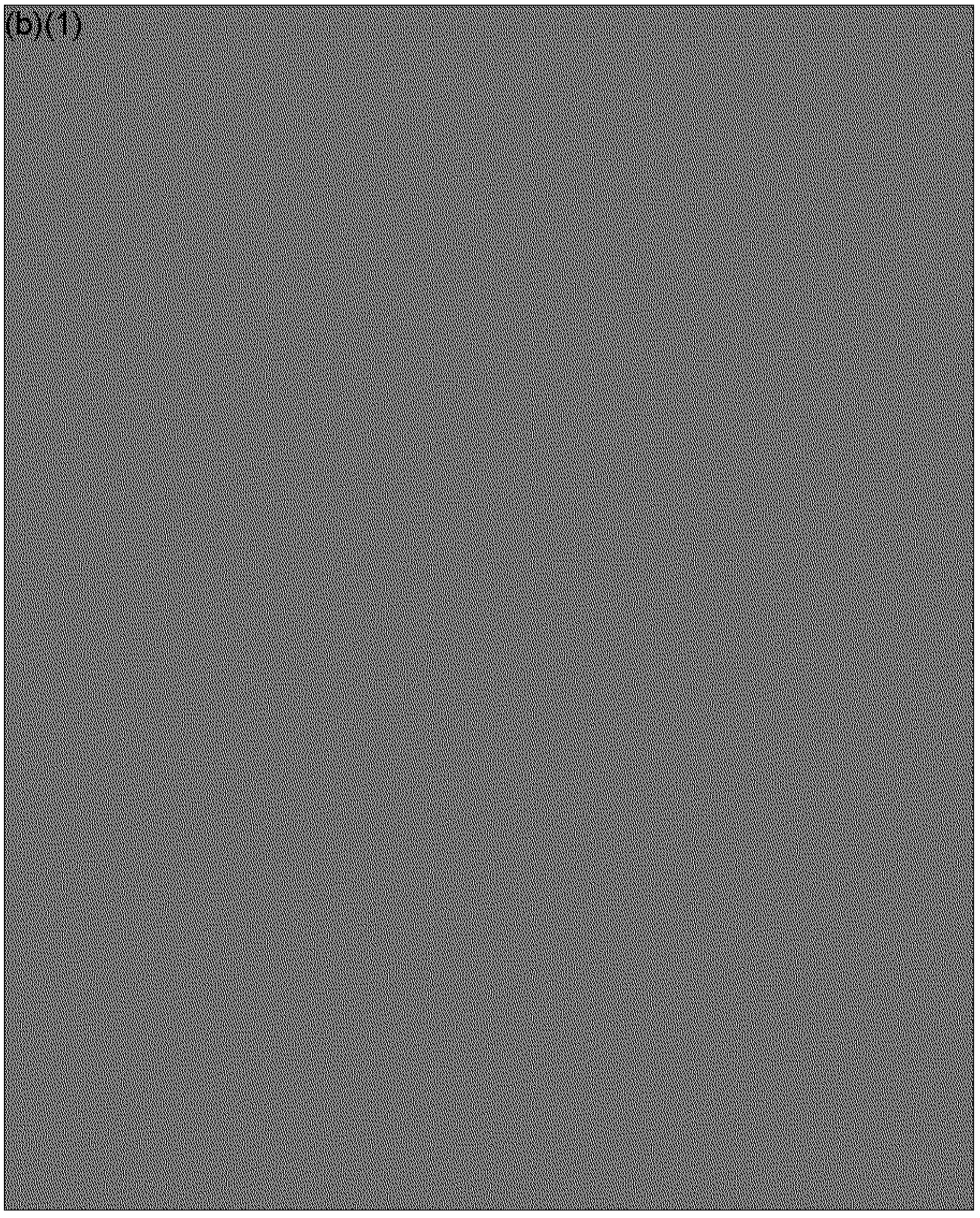
e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(D)

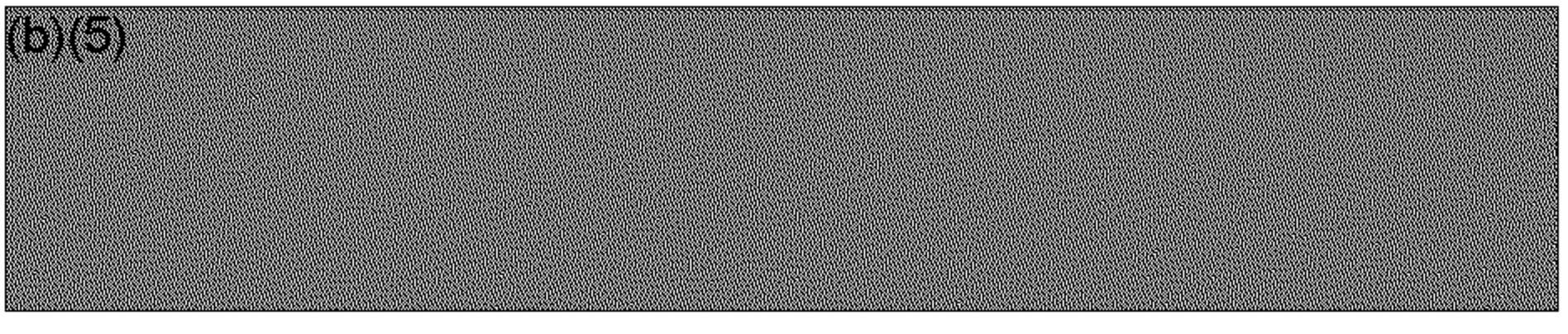
f. (U) **Individual Affiliations**

(b)(1),(b)(7)(D)

(b)(1)



(b)(5)



(b)(1)

d. ~~(S//NF)~~ Recommendation (b)(5)
(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous de (b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/10/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 850 (Afghanistan)**

- Subject ARB was held on 18 Jan 08 resulting in a unanimous recommendation to (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) (Detain) 2-20

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 850

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) Exhibit EC-A, "Notification of CSRT Determination" dated 7 January 2008, constitutes constructive notice of Enemy Combatant Notification of ISN 850, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC answered a series of questions from the ARB, which included inquiries regarding his support of jihad, his military training, and operations he conducted against U.S. forces. All EC testimony and comments are included in enclosure (4).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

(U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detaince Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC.

a. (U) **Recruitment**

(b)(7)(A)

(b)(1)

b. (U) **Travel**

(b)(7)(A)

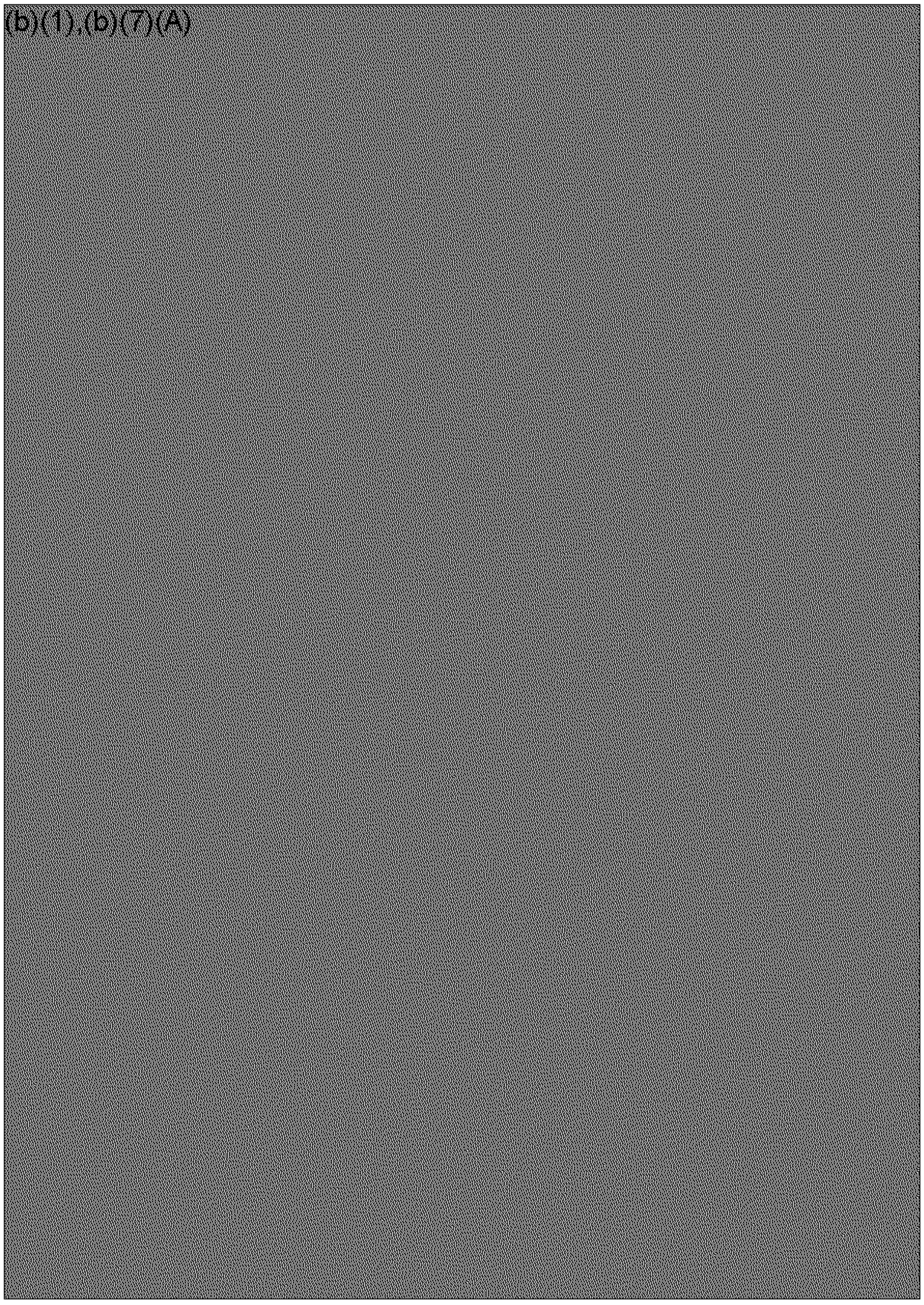
c. (U) **Training**

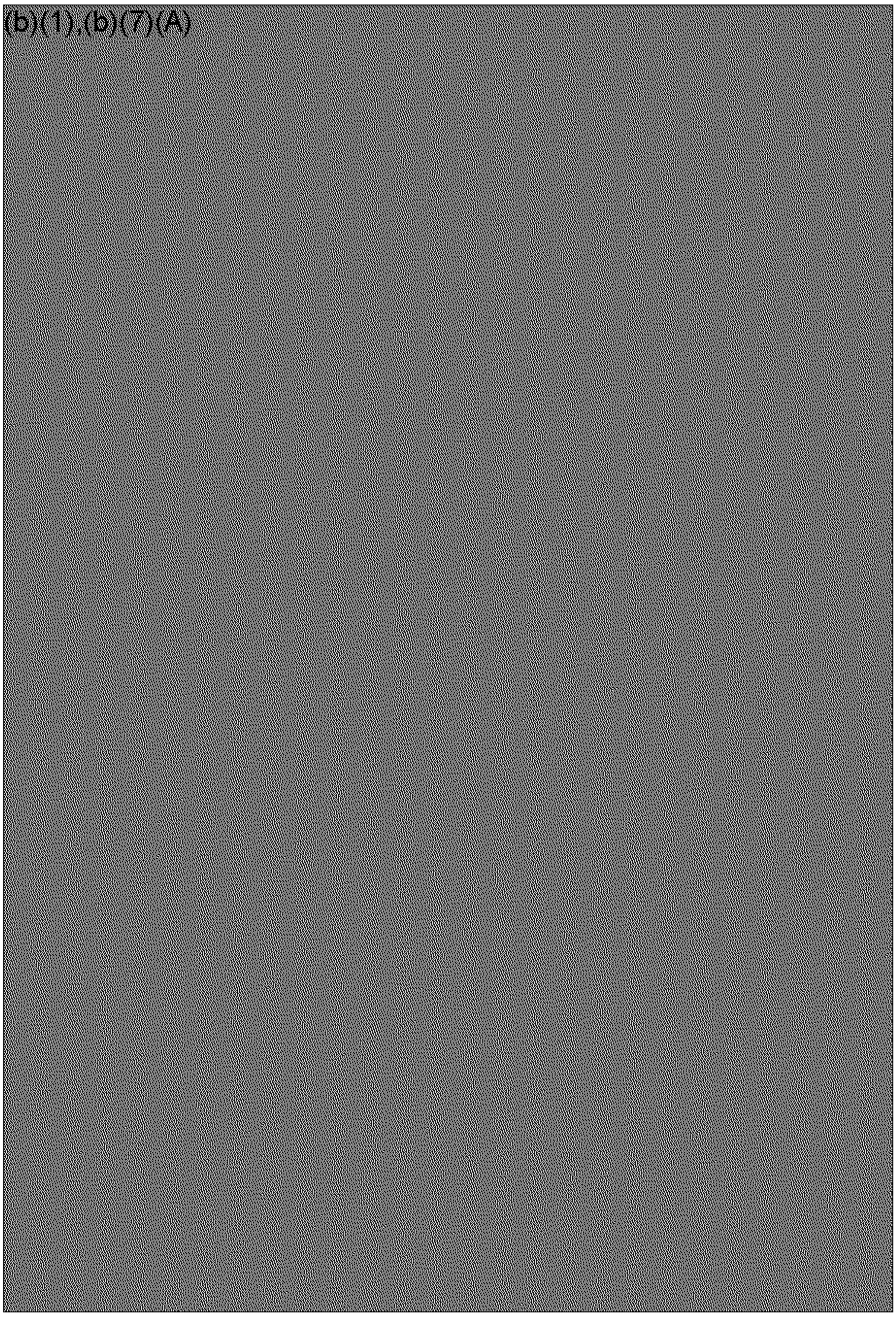
(b)(7)(A)

d. (U) **Operations, Combat and Capture**

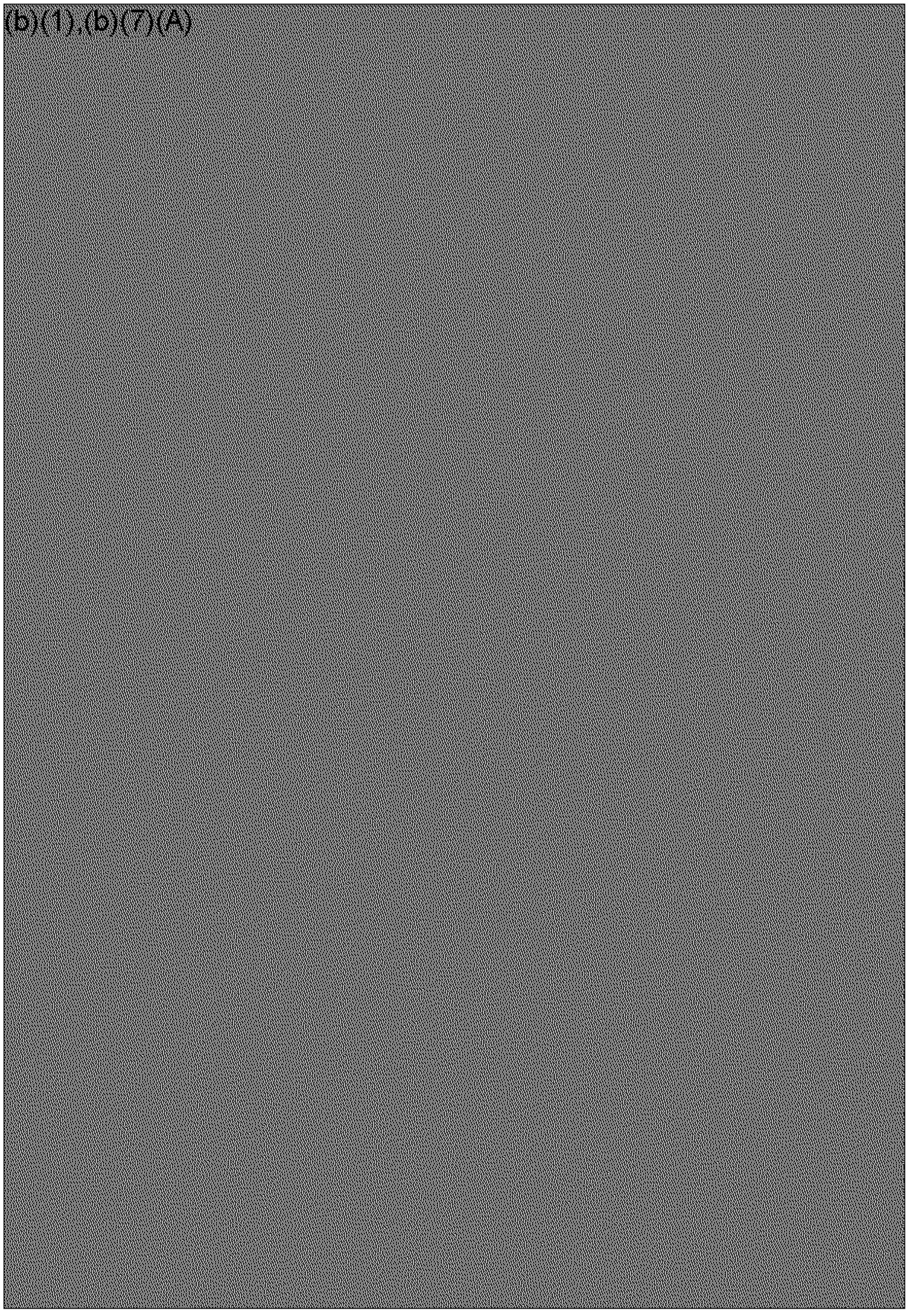
(b)(1)

(b)(1),(b)(7)(A)

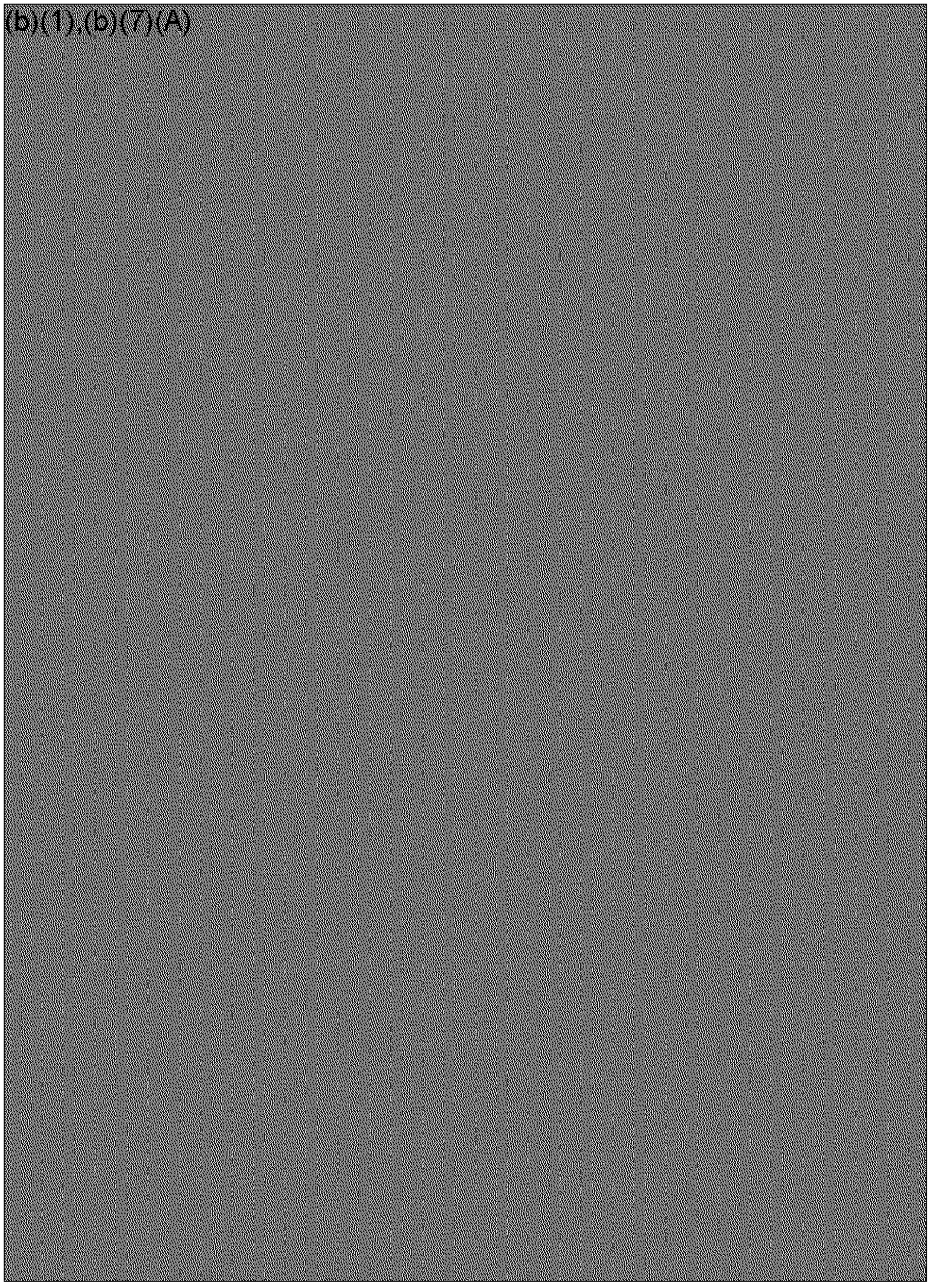



(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)



e. (U) **Organizational Affiliations**

(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1),(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

(4) (U) The EC stated during his ARB hearing that all the allegations in the Unclassified Summary were true except for ISN 452's statement in paragraph 4.h.(2). (Enclosure 4)

i. (U) **Factors in Support of**(b)(5)

(b)(1),(b)(7)(A)

5. (U) Party / Home Country Statements.

a. (U) The EC is a citizen of Afghanistan and is 32 years of age. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

[redacted]

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/4/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 886 (AFGHANISTAN)**

- Subject ARB was held on 05 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Transfer) _____

(b)(5) Detain _____ Release _____

Attachments: 1-14-08

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 886

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the EC Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure

(1) (U) **Deputy Assistant Secretary of Defense for EC Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. No new exhibits were introduced since last year's ARB:

a. (U) **Recruitment**

(b)(7)(A)

b. (U) **Travel**

(b)(5)

c. (U) **Training**

(b)(7)(A)

d. (U) **Operations, Combat and Capture**

(b)(7)(A)

(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **EC Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/7/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 888 (AFGHANISTAN)**

- Subject ARB was held on 5 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) _____ 1-11-08

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 888

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive. The Joint Detention Group (JDG) liaison hand-carried two copies of the Unclassified Summary of Evidence, English and Arabic translated, to the JDG point of contact for delivery to the EC. The AMO received written confirmation of delivery to the EC from the JDG.

(b)(1)

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3)(U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(1),(b)(7)(A)

b. (U) **Travel**

(b)(1)

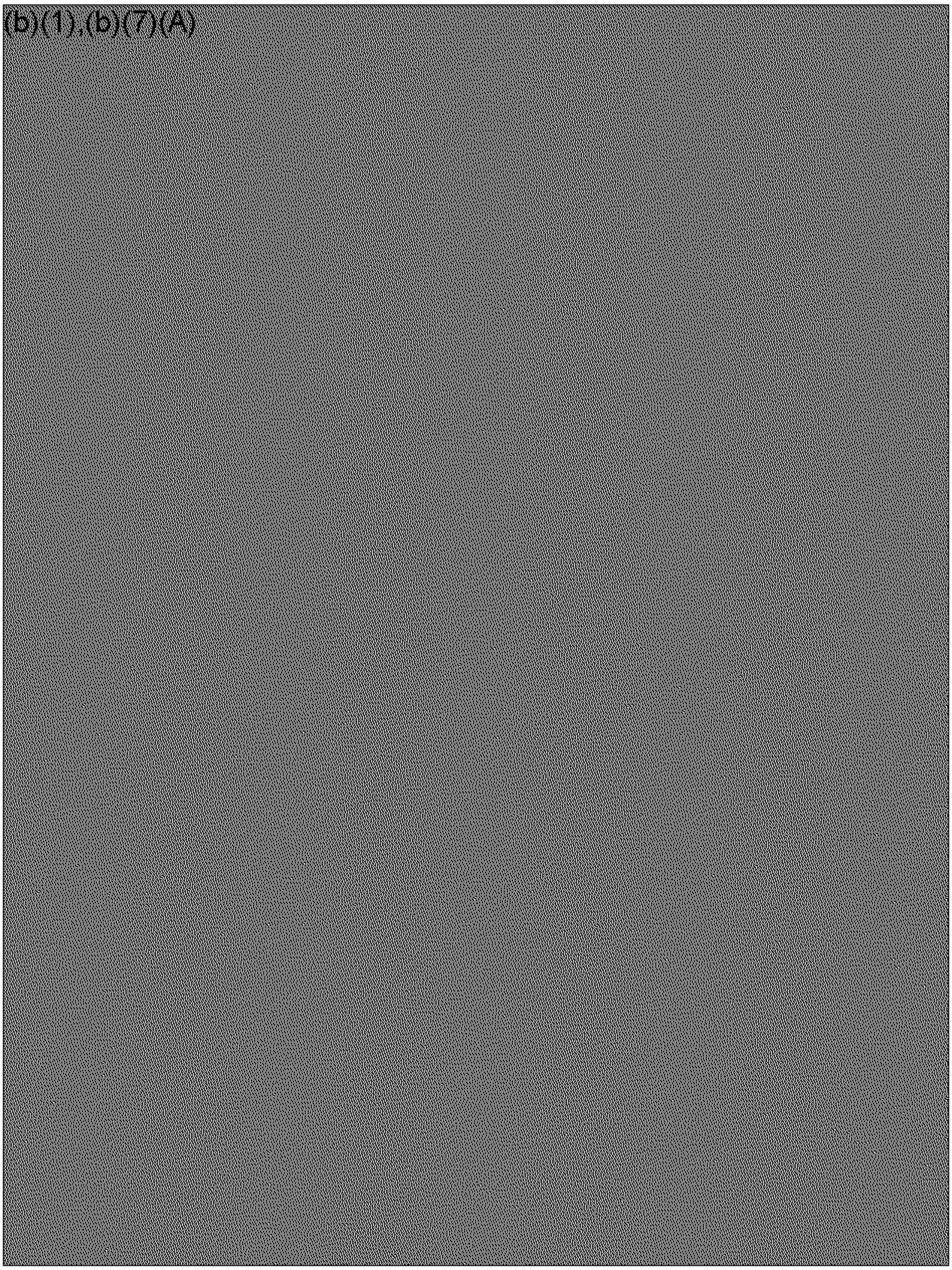
c. (U) **Training**

(b)(7)(A)

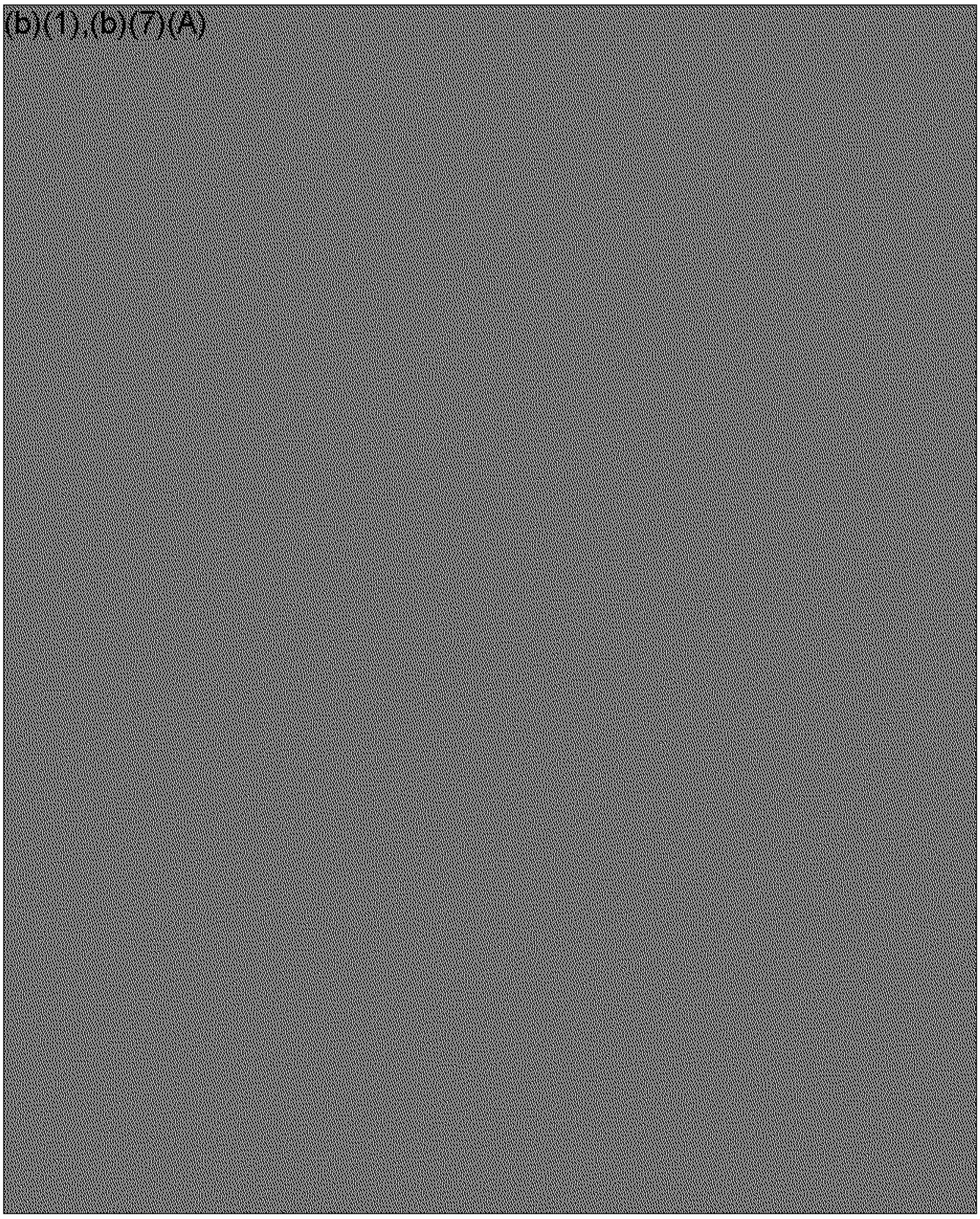
d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

(a) (U) * U.S. Department of Homeland Security (DHS) reported Gulbuddin Hikmatyar founded Hezb-e-Islami Gulbuddin as a faction of the Hezb Islami party in 1977, and it was one of the major Mujahedin groups in the war against the Soviets. Hezb-e-Islami Gulbuddin has long-established ties with Usama bin Laden. DHS further reported that in the early 1990s, Hikmatyar ran several terrorist training camps

in Afghanistan and was a pioneer in sending mercenary fighters to other Islamic conflicts. DHS assessed Hikmatyar offered to shelter Usama bin Laden after the latter fled Sudan in 1996. (DMO-2)

f. (U) **Individual Affiliations**

(b)(7)(A)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision. (b)(3):10 USC §130b,(b)(6)

ISN 888
Enclosure (4)
Page 9 of 9

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 2/4/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 890 (AFGHANISTAN)**

- Subject ARB was held on 11 January 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) Transfer (b)(5)

(b)(5) (Detain) _____ Release _____

2-28

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 890

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. In addition, the AMO verbally summarized comments the EC made during the AMO's interview. These comments are documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

c. (U) After review of all attached exhibits the ARB disregarded DMO-28 because the Board concluded it did not relate to ISN 890.

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(5)

b. **(U) Travel**

(b)(1)

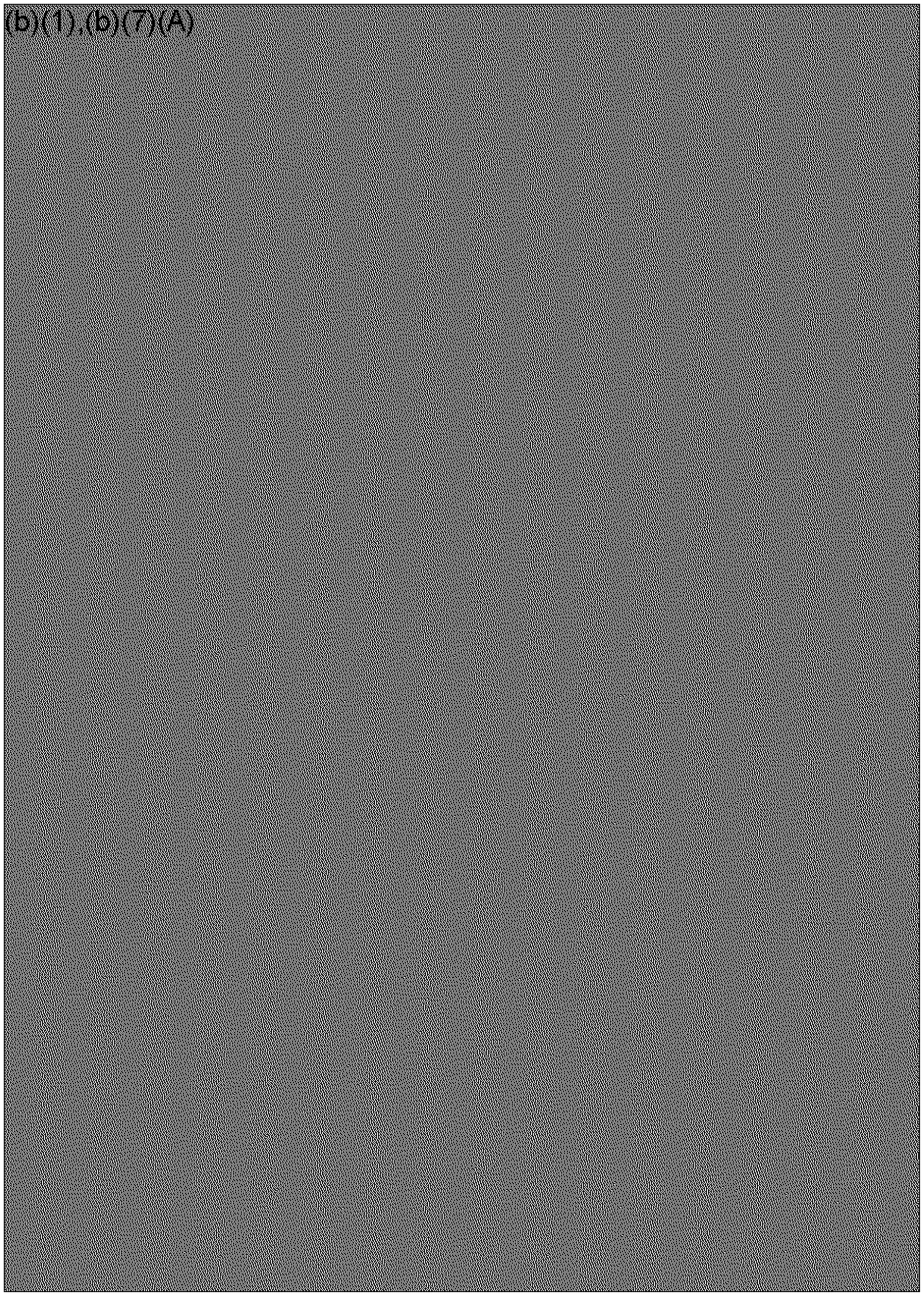
c. **(U) Training**

(b)(1),(b)(7)(A)

d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

(a) (U) Hezb-e-Islami Gulbuddin is described as a foreign terrorist organization that was one of the major Mujahedin groups in the war against the Soviets, has long-established ties with Usama bin Laden, and has staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration, and establish a fundamentalist state. (DMO-2)

(b)(7)(A)

(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

i. (U) **Factors in Support of (b)(5)**

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghnistan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 890, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 890.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a [redacted] due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 6/21/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 892 (TUNISIA)**

- Subject ARB was held on 7 May 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO, (b)(5)

(b)(5) Transfer) 1-27-07

(b)(5)

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 892

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC was unresponsive when asked if he would attend the ARB; consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC appeared to understand the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **U.S. European Command (USEUCOM)**

(b)(1),(b)(5)

(8) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC:

a. (U) Background

(b)(1),(b)(7)(A)

(b)(5)

(b)(1),(b)(7)(A)

b. (U) **Recruitment**

(b)(1),(b)(7)(A)

c. (U) **Travel**

(b)(1),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

(b) (U) Al Gamaa al Islamiyya (variant of Gamaat Al Islamiya) is found on the Department of Homeland Security's Terrorist Organization Reference Guide. This group has conducted armed attacks against Egyptian security and other government officials. (DMO-4)

(b)(1)

d. (U) **Training**

(b)(7)(A)

(b)(1),(b)(7)(A)

e. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

f. (U) **Organizational Affiliations**

(b)(1)

g. (U) **Individual Affiliations**

(b)(7)(A)

(b)(1),(b)(5),(b)(7)(A)

h. (U) **Behavior**

(b)(1),(b)(5)

i. (U) **Other Information**

(b)(1),(b)(7)(A)

(b)(1)

j. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Tunisia. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. (U) **Detainee Treatment Act Consideration.**

(b)(1),(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 11/24/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 893 (YEMEN)**

- Subject ARB was held on 29 August 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5)

12-7

(b)(5)

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 893

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1)(U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB:

a. (U) Recruitment

(b)(1),(b)(5)

b. (U) Travel

(b)(1)

(b)(1),(b)(7)(A)

c. **(U) Training**

(b)(1),(b)(7)(A)

(b)(1)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1),(b)(7)(A)

(a) (U) * The EC stated he was held in prison in Zahedan for two months, in Tehran for one day, and then in Mashhad, Iran for a few days before being transported to Afghanistan as part of what the EC believed was a prisoner exchange. (DMO-15)

(b)(1)

e. **(U) Organizational Affiliations**

(b)(1),(b)(5)

f. **(U) Individual Affiliations**

(b)(1)

(b)(1),(b)(7)(A)

g. **(U) Behavior**

(b)(1),(b)(5)

(3) (U) * The EC stated since he was already dead he might as well be sent to Iraq to fight against the Americans there. The EC further stated if he went back to Saudi Arabia he would be sent to jail and that his life would be no different. (DMO-13)

(b)(5)

h. **(U) Other Information**

(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(5)

(b)(7)(A)

(b)(5)

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Yemen. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(1) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 Jun 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 899 (AFGHANISTAN)**

- Subject ARB was held on 27 Jun 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
(b)(5)

9-20

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 899

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings. The EC also wanted the assistance of the AMO and elected to respond to each statement of information in the Unclassified Summary after its presentation.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The EC responded verbally to each allegation/statement in the Unclassified Summary. The EC answered a series of questions from the ARB, which included inquiries regarding his ties to extremists, involvement in planning of operations against U.S. and Coalition Forces and his plans for the future if released. All EC testimony and comments are included in enclosure (4).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The AMO presented classified information on behalf of the EC and this information was introduced during the board as enclosure EC-C. The Board has since re-designated this document as exhibit DMO-29. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the

ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. (U) Recruitment

(b)(1)

b. (U) Travel

(b)(1)

c. (U) Training

(b)(1)

d. (U) Operations, Combat and Capture

(b)(1)

(b)(1)

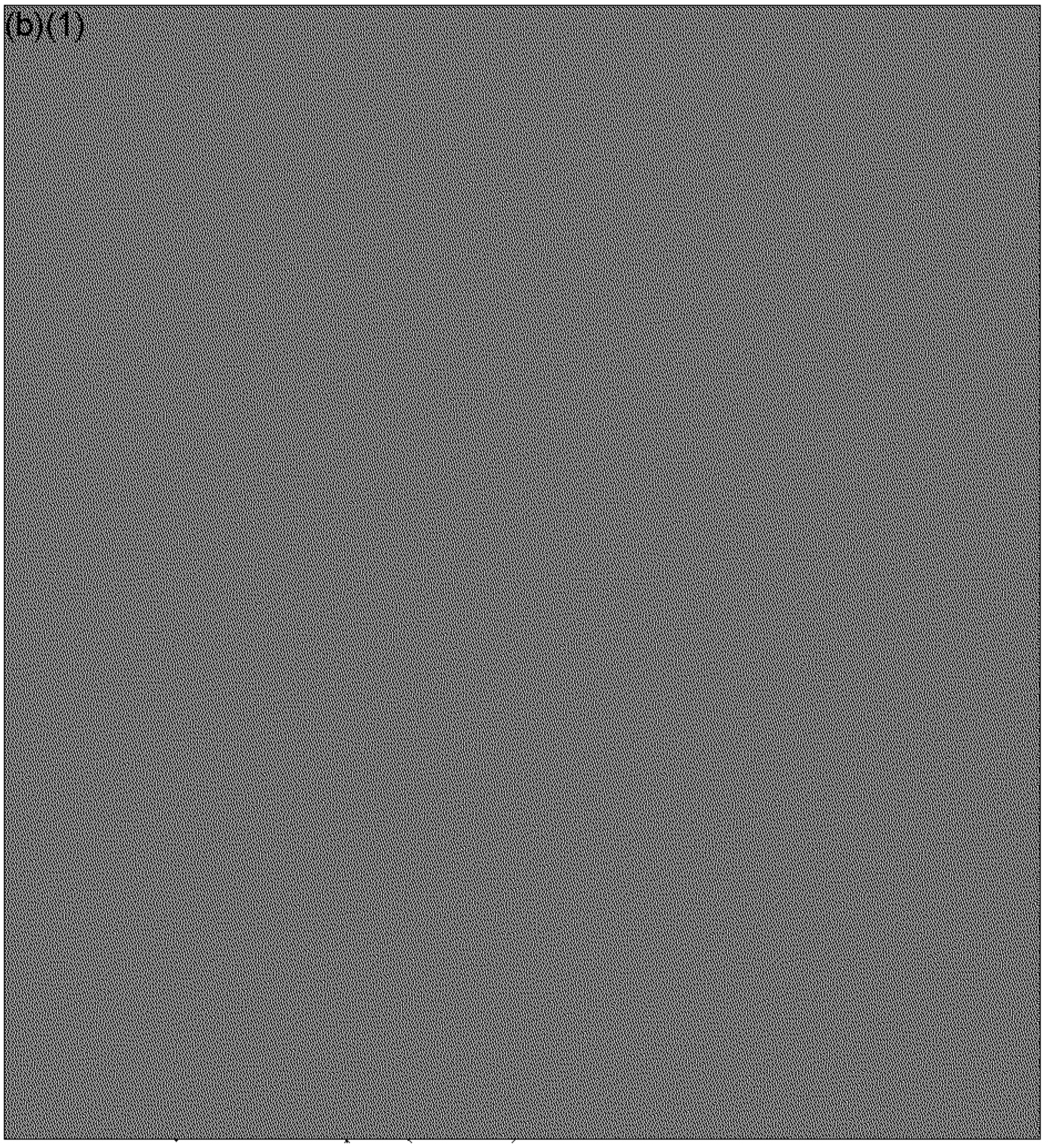
(a) (U) The EC claimed the Taliban took him to the battle by force as a conscript (Enclosure 4, p. 4)

(b)(7)(A)

(a) (U) * The Terrorist Organization Reference Guide states HIG has long-established ties with Usama bin Laden and ran several terrorist training camps in Afghanistan. The HIG has staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghani Transitional Administration and establish a fundamentalist state. (DMO-4)

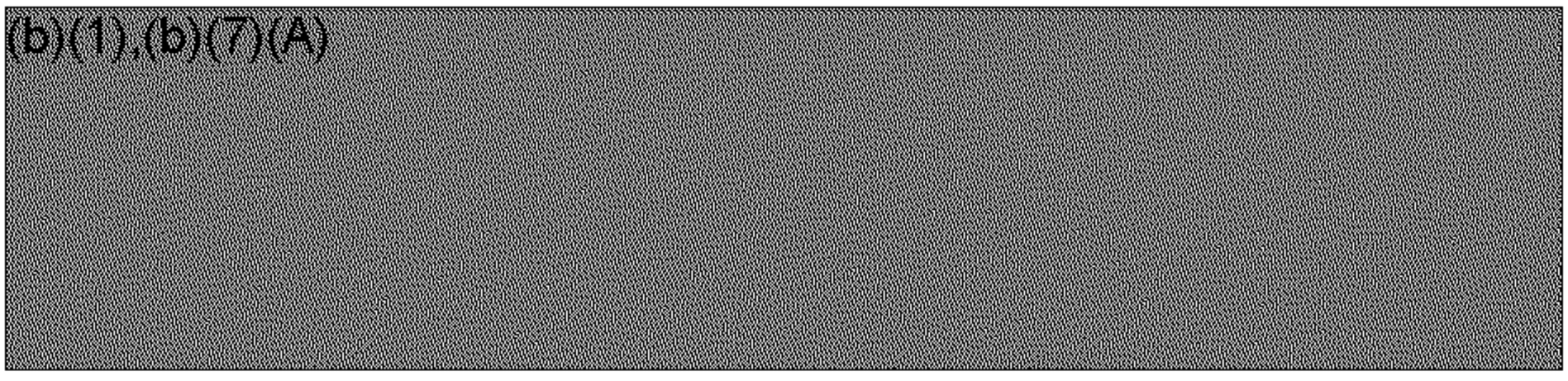
(b)(1)

(b)(1)



(b) (U) The EC stated that Farsi is the main language in that area, and he could not have incited people if he didn't speak their language. (Enclosure 4, p. 9)

(b)(1),(b)(7)(A)



(b)(1),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(1)

f. (U) **Individual Affiliations**

(b)(1)

(b) (U) In another account, the EC claimed he never worked for his uncle, but he worked as a driver for the Security Commander in Kandahar, Khakreze District, under Lieutenant Muhammed Akram. (Enclosure 4, p. 5)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

(b)(1)

i. (U) Factors in Support of [redacted]

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**.

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

(b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 18 Sep 07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 928 (AFGHANISTAN)**

- Subject ARB was held on 19 June 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5)
(b)(5)
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 928

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this EC, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this EC was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this EC.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Training</u>**

(b)(1)

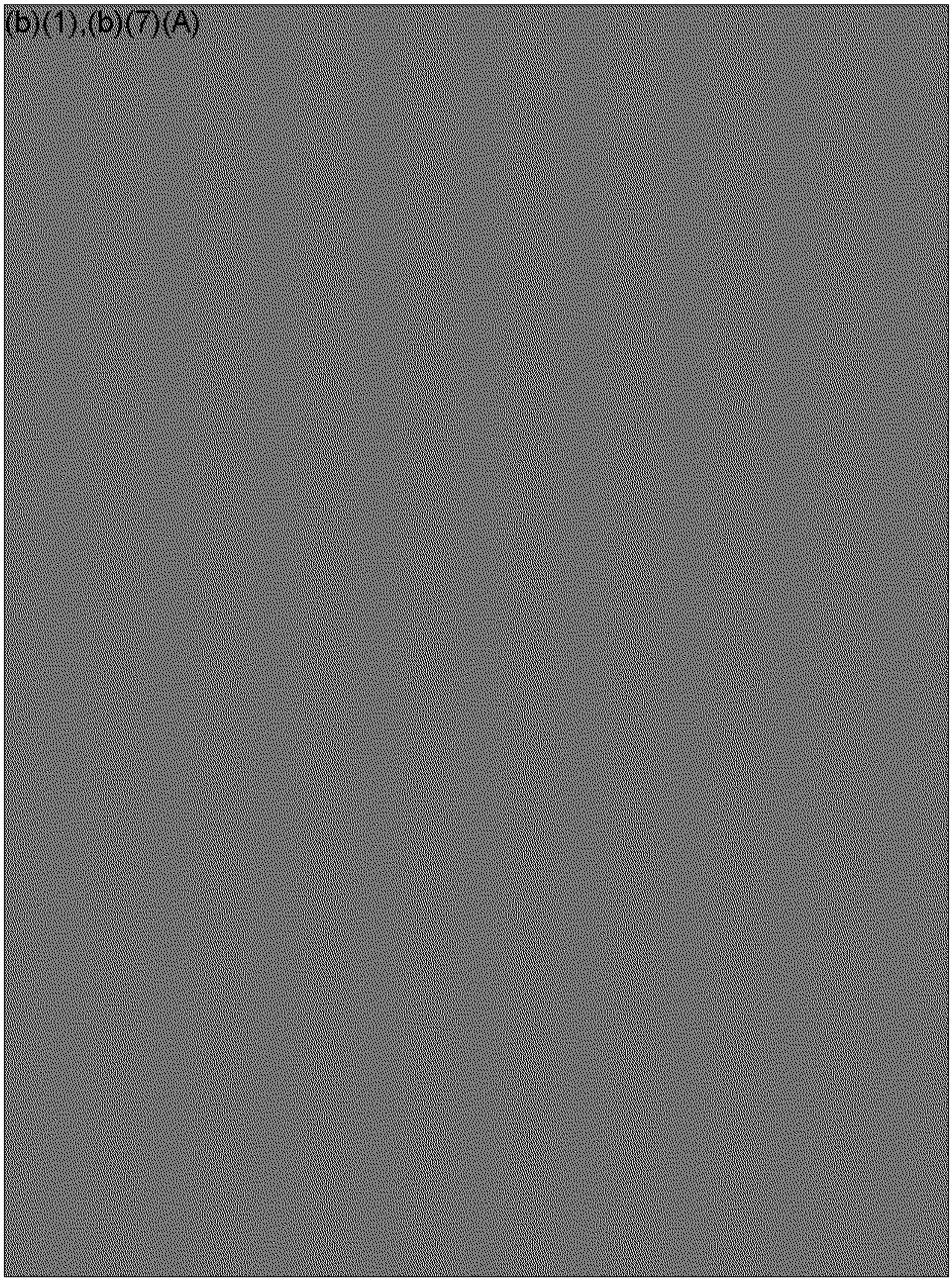
c. **(U) <u>Operations, Combat and Capture</u>**

(b)(1)

(ii) (U) * The Terrorist Organization Reference Guide states the Hezb-e-Islami Gulbuddin was one of the major Mujahedin groups in the war against the Soviets. Hezb-e-Islami Gulbuddin has long established ties with Usama bin Laden, and its founder offered shelter to bin Laden after he fled Sudan in 1996. The Hezb-e-Islami Gulbuddin staged small attacks in its attempt to force United States troops

to withdraw from Afghanistan, overthrow the Afghan Transitional Administration, and establish a fundamentalist state. (DMO-4)

(b)(1),(b)(7)(A)



(b)(1)

d. (U) **Organizational Affiliations**

(b)(1)

(a) (U) * The Abu Sayyaf Group is the most violent separatist group operating in the southern Philippines. Some of its leaders fought in Afghanistan during the Soviet war and are students and proponents of radical Islamic teachings. The group engages in kidnapping for ransom, bombings, assassinations, extortion, and from time to time claims its motivation is to promote an independent Islamic state. The group is known to have killed U.S. citizens on three separate occasions. (DMO-4)

(b)(1)

(b)(1)

e. (U) **Individual Affiliations**

(b)(1)

f. (U) **Behavior**

(b)(5)

g. (U) **Other Information**

(b)(1),(b)(7)(A)

h. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 928, herein enclosed as Enclosure (5).

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of [redacted] due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 1/14/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 934 (AFGHANISTAN)**

- Subject ARB was held on 21 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 2-4-08

(b)(5) Transfer _____ Release _____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 934

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. **(U) Recruitment**

(b)(5)

b. **(U) Travel**

(b)(5)

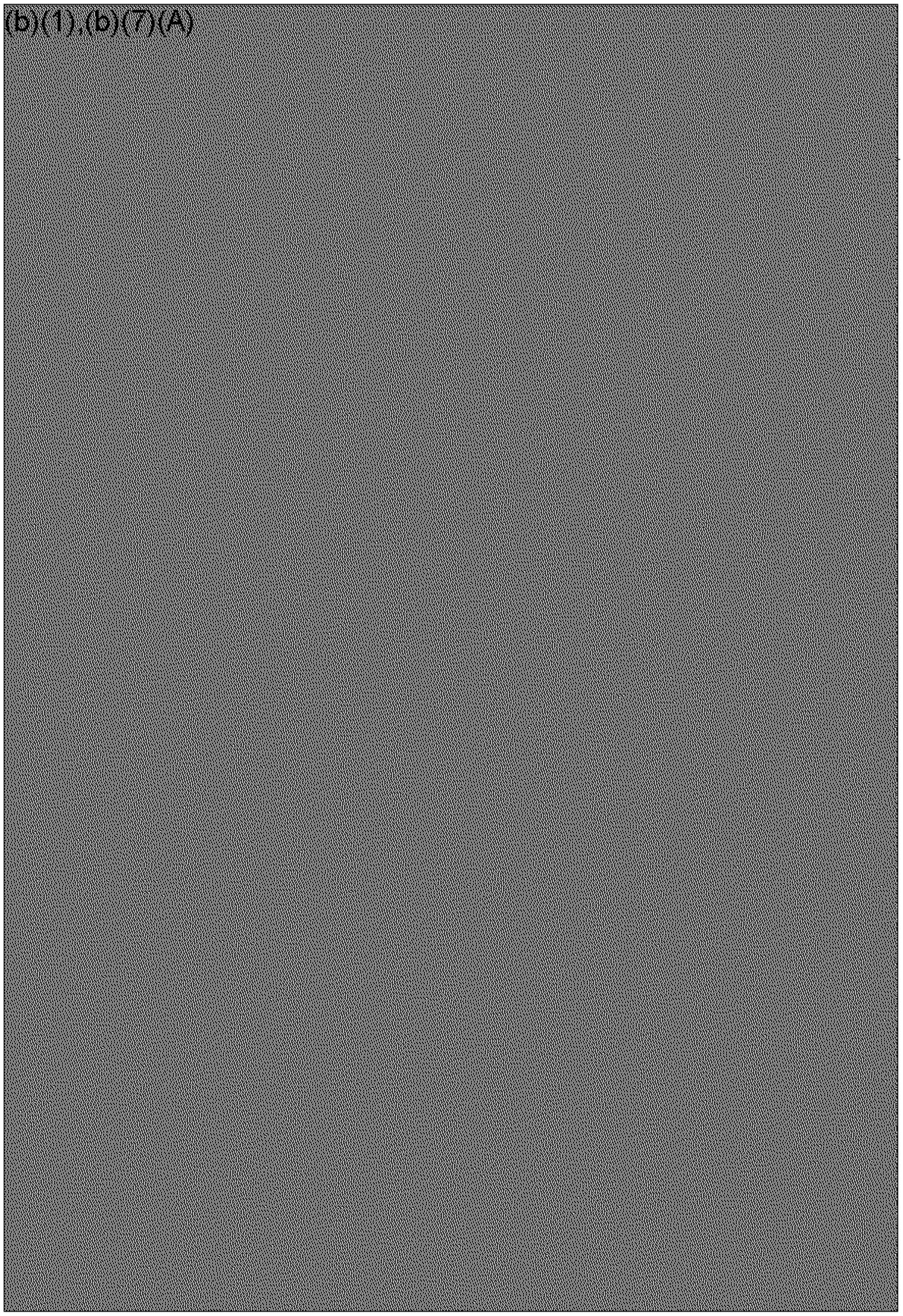
c. **(U) Training**

(b)(5),(b)(7)(A)

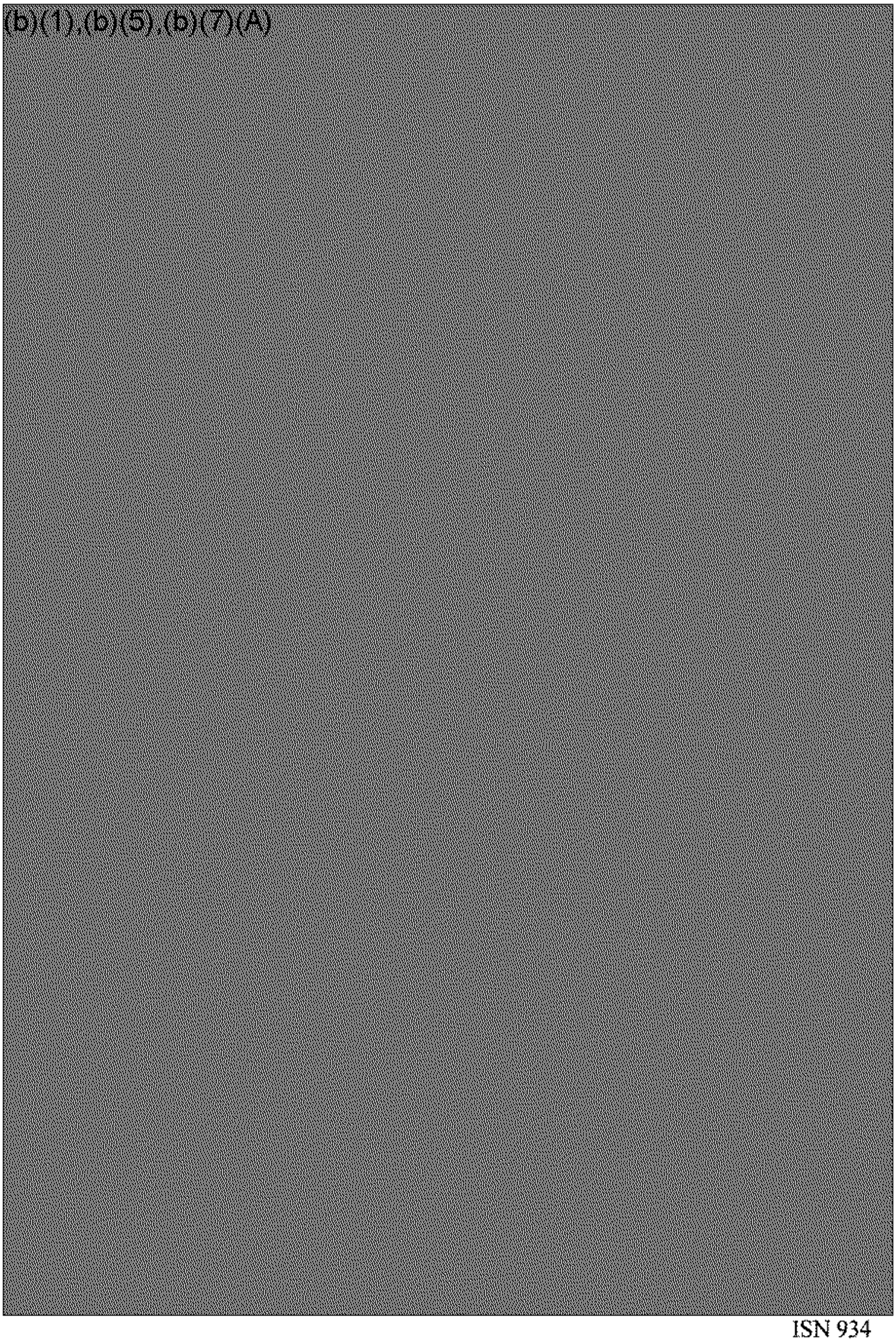
d. **(U) Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1),(b)(5),(b)(7)(A)



e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(5)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of**(b)(5)

(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(1)

(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense

Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 12/5/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 942 (AFGHANISTAN)**

- Subject ARB was held on 14 September 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) 12-17

(b)(5)

Attachments:

Tab A OARDEC DSJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 942

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB:

a. (U) **Recruitment**

(b)(1),(b)(5)

(b)(1),(b)(5)

b. **(U) <u>Travel</u>**

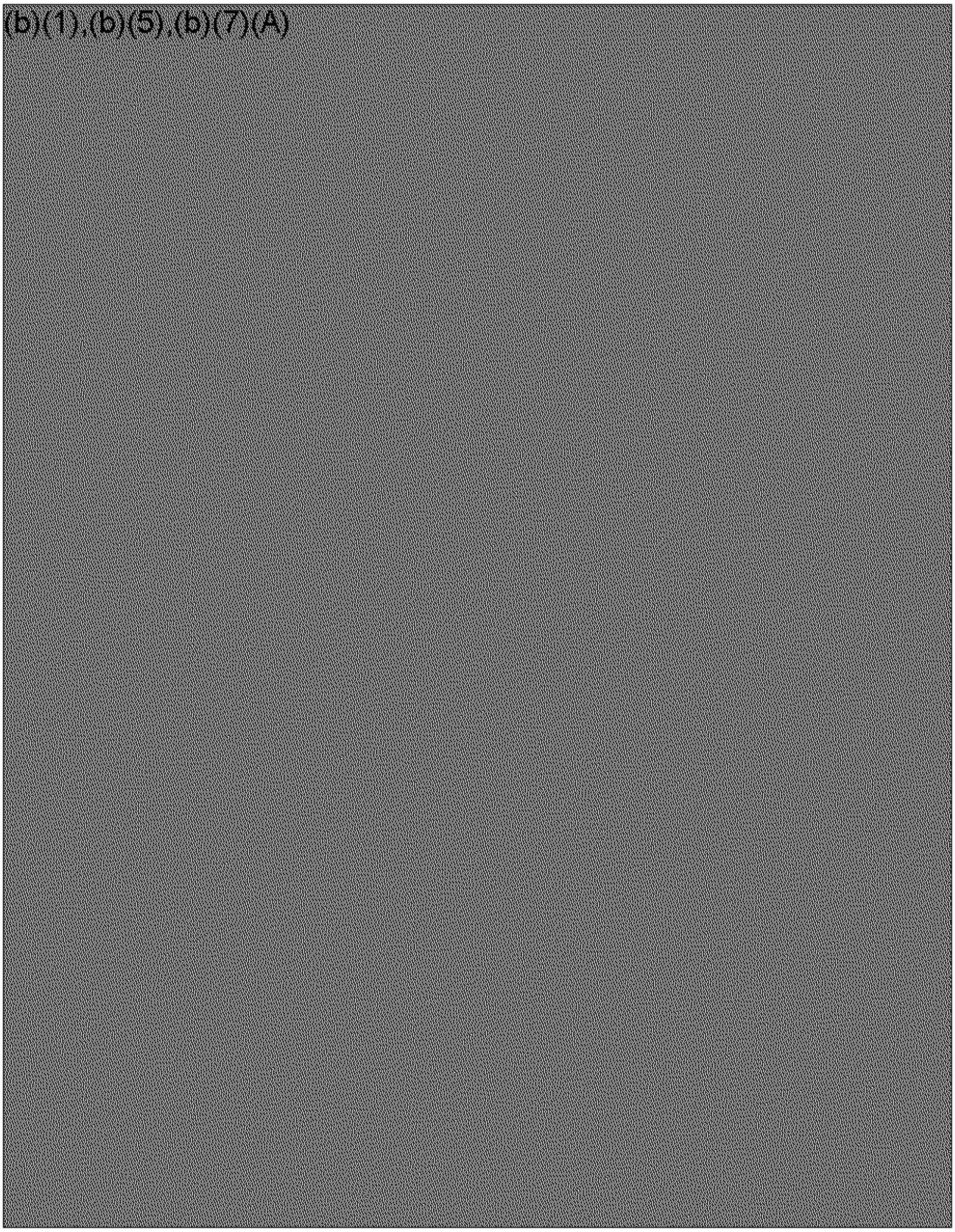
(1) (U) The Board found no substantive or collaborative information about the EC's travel.

c. **(U) <u>Training</u>**

(b)(1)

d. **(U) <u>Operations, Combat and Capture</u>**

(b)(1),(b)(5),(b)(7)(A)


(b)(1),(b)(5),(b)(7)(A)

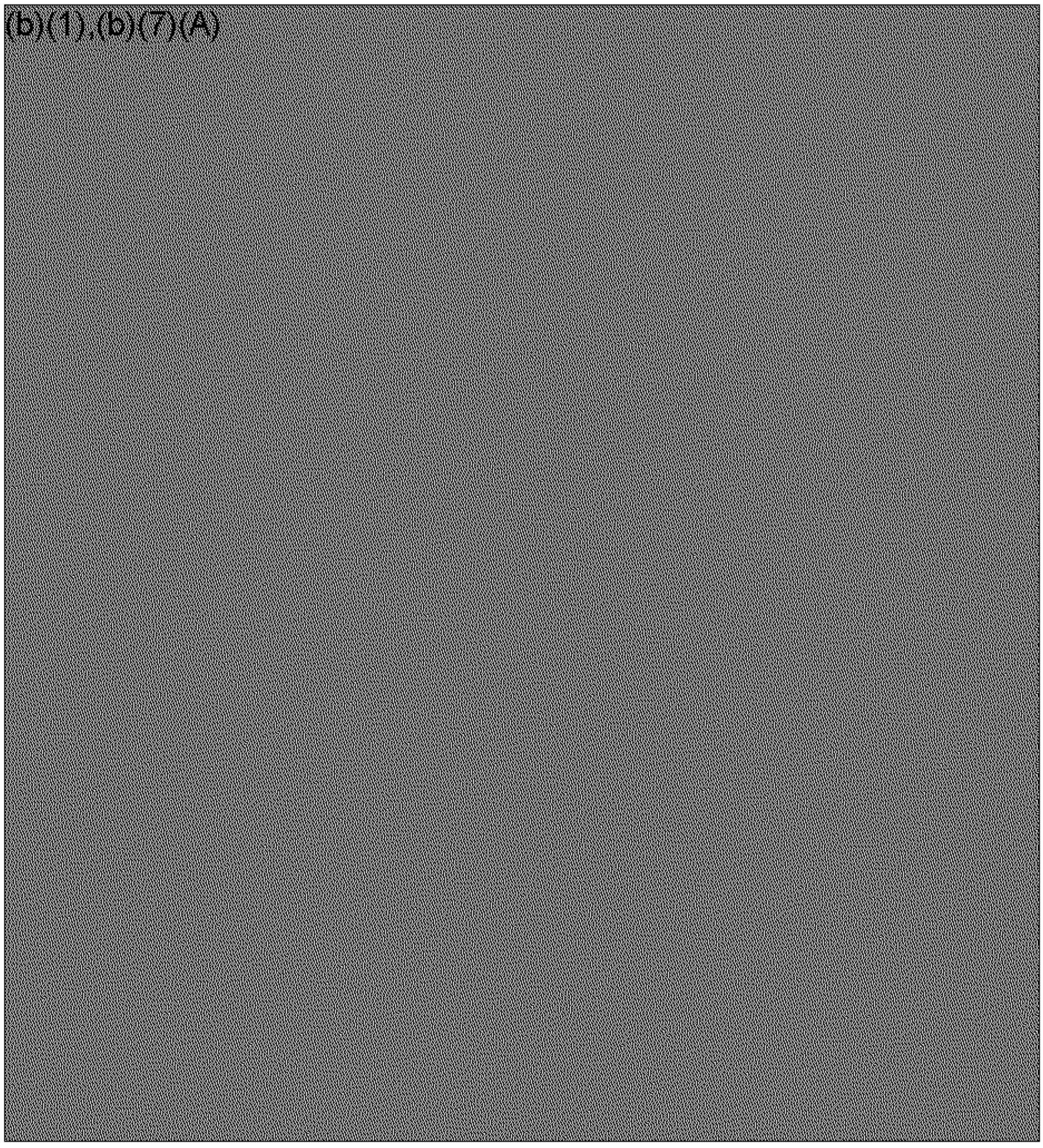
(b)(1),(b)(5),(b)(7)(A)

e. (U) **Organizational Affiliations**

(b)(7)(A)

(a) (U) DHS reported Hezb-e-Islami Gulbuddin was a major mujahedin group in the war against the Soviets. DHS reported the group has long established ties with Usama bin Laden and the group's founder offered to shelter bin Laden after he fled Sudan in 1996. DHS reported the group staged small attacks in its attempt to force U.S. troops to withdraw from Afghanistan, overthrow the Afghani Transitional Administration, and establish a fundamentalist state. (DMO-4)

(b)(1),(b)(7)(A)



f. (U) **Individual Affiliations**

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) **Conclusions and Recommendation of the Administrative Review Board**

a. ~~(S//NF)~~ **Threat Level**. The EC poses a [redacted] due to the following factors:

(b)(1)

[redacted]

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of [redacted] due to the following factors:

(b)(1)

[redacted]

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)
(b)(5)

(b)(1)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board's decision was not unanimous. The dissenting Board member's recommendation is (b)(5)

(b)(1)

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 9/21/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 944 (AFGHANISTAN)**

- Subject ARB was held on 15 May 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5) 9-21-07 (b)(5) (b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 944

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC was uncooperative or unresponsive, and refused to attend the AMO interview. This response is documented in Exhibit EC-B.

d. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

e. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5).

(1) (U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)

(b)(1),(b)(5)

(b)(1),(b)(5)

(2) (U) Central Intelligence Agency (CIA)

(b)(1),(b)(5)

(3) (U) Federal Bureau of Investigation (FBI)

(b)(5),(b)(7)(A)

(4) (U) Criminal Investigation Task Force (CITF)

(b)(1),(b)(5),(b)(7)(A)

(5) (U) Joint Task Force Guantanamo (JTF-GTMO)

(b)(1),(b)(5)

(6) (U) U.S. Southern Command (USSOUTHCOM)

(b)(1),(b)(5)

(7) (U) Office of Military Commissions (OMC)

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information derived from exhibits not utilized in the previous year's ARB.

a. **(U) <u>Recruitment</u>**

(b)(1)

b. **(U) <u>Travel</u>**

(b)(1)

c. **(U) <u>Training</u>**

(b)(1)

(b)(1)

d. (U) **Operations, Combat and Capture**

(b)(1),(b)(7)(A)

(b)(1)

e. **(U) <u>Organizational Affiliations</u>**

(b)(1)

f. **(U) <u>Individual Affiliations</u>**

(b)(1)

g. **(U) <u>Behavior</u>**

(b)(5)

h. **(U) <u>Other Information</u>**

(b)(1)

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.** (b)(5)

(b)(1)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value.** (b)(5)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)

d. ~~(S//NF)~~ **Recommendation** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b (b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba 1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 28/jun/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 954 (AFGHANISTAN)**

- Subject ARB was held on 28 June 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)
(b)(5)
(b)(5) 9-24
(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 954

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after its presentation. The AMO verbally summarized comments the EC made during the AMO's interview. This statement is documented in Exhibit EC-B.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC responded verbally to each allegation/statement in the Unclassified Summary. He then read an excerpt of a letter from his family. Finally, the EC answered a series of questions from the ARB, which included inquiries regarding his support of jihad, training, *future plans, perception of* U.S. forces, and treatment at Guantanamo Bay, Cuba. All EC testimony and comments are included in enclosure (4).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (6).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" is used in the following text to annotate information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(1),(b)(5)

b. (U) **Travel**

(b)(5)

c. (U) **Training**

(b)(5)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(5)

(a) (U) The EC denied firing against U.S. troops, hiding behind women and throwing grenades. (Enclosure 4, p. 5)

(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

(a) (U) The EC claimed he never worked with the Taliban and spent all his time serving his mother and family, and teaching the children of his village. (Enclosure 4, p. 6)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)

(b) (U) On 4 March 2002, *The News* (Islamabad) reported Saifur Rahman was the deputy commander of the Kargha garrison west of Kabul, Afghanistan, during the Taliban's rule. (DMO-4)

(c) (U) The EC said Rahman has no connection or relation with him, Rahman is not from the EC's village, and the EC is not Rahman's relative. (Enclosure 4, p. 4)

g. **(U) <u>Behavior</u>**

(b)(5)

h. **(U) <u>Other Information</u>**

(b)(1)

(a) (U) The EC said other than traveling with his family through Khowst when returning from Pakistan, and taking his mother to Kabul for medical treatment, he has not seen any other provinces in Afghanistan. (Enclosure 4, p. 13)

(b)(5)

(b)(1)

i. **(U) <u>Factors in Support of</u>** (b)(5)

(b)(1)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level.** (b)(5)

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value.** The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation**. (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review of the Detention of Enemy Combatants (OARDEC) at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~

ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 8/14/07

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 961 (AFGHANISTAN)**

- Subject ARB was held on 22 August 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5)

(b)(5) 11-8-07

(b)(5)

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 961

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and that the EC understood the process.

e. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

f. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (5):

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. No new exhibits were introduced since last year's ARB:

a. (U) **Recruitment**

(b)(5)

b. (U) **Travel**

(b)(1)

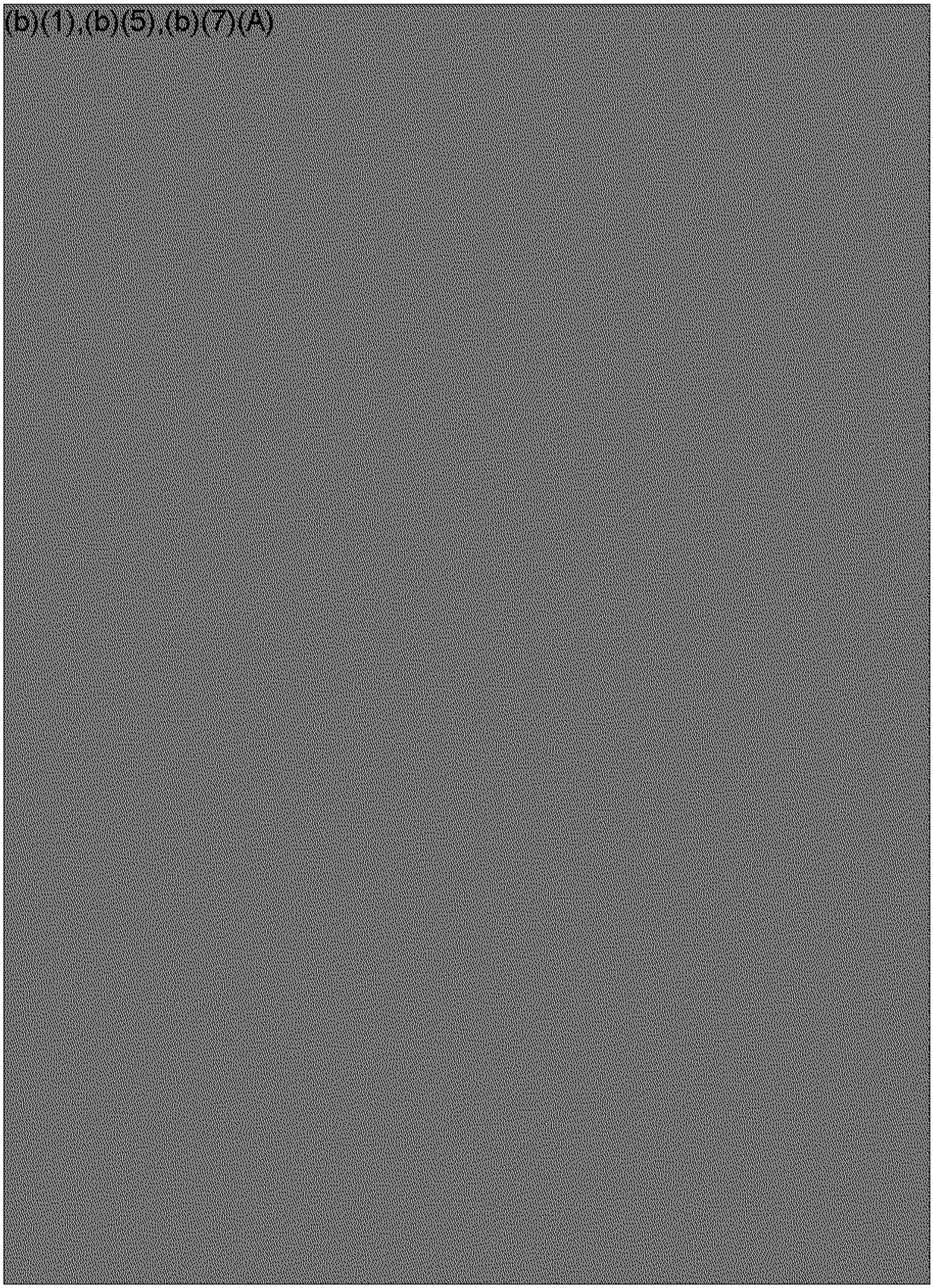
c. (U) **Training**

(b)(5)

d. (U) **Operations, Combat and Capture**

(b)(1)

(b)(1),(b)(5),(b)(7)(A)



(b)(1),(b)(5)

b. **(U) <u>Organizational Affiliations</u>**

(b)(1),(b)(5)

c. **(U) <u>Individual Affiliations</u>**

(b)(1)

d. (U) **Behavior**

(b)(1),(b)(7)(A)

e. (U) **Other Information**

(b)(1)

f. (U) Factors in Support of (b)(5)

(b)(1),(b)(7)(A)

2. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. No third party or home country statements were provided.

3. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

4. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

5. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 1/21/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 968 (AFGHANISTAN)**

- Subject ARB was held on 14 December 2007 resulting in a unanimous recommendation to (b)(5) (b)(5) based on the following:
  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:
- Intelligence inputs used in the ARB's determination of this EC's case include:
  - (b)(1)
  -
  -
- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5) (b)(5)

(b)(5) (Detain) 2-8-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 968

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC declined to attend the ARB, and consequently the Board convened without the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC affirmatively declined to appear personally in the ARB proceedings. The AMO verbally summarized comments the EC made during the AMO's interview. This statement is documented in Exhibit EC-B. The AMO further presented correspondence on behalf of the EC as Exhibits EC-C, EC-D, EC-E, EC-F, EC-G, EC-H, EC-I, EC-J, EC-K, and EC-L, identified herein as enclosure (4).

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

(b)(1)

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (7).

(1) (U) **Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) (U) **Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) (U) **Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) (U) **Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) (U) **Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) (U) **U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) (U) **Office of Military Commissions (OMC)**

(b)(1),(b)(5)

c. (U) After review of all attached exhibits the ARB disregarded DMO-17 and DMO-18 because they were not relevant to the EC. The ARB also disregarded DMO-34 because it did not provide any additional useful information.

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(5)

b. (U) **Travel**

(b)(1)

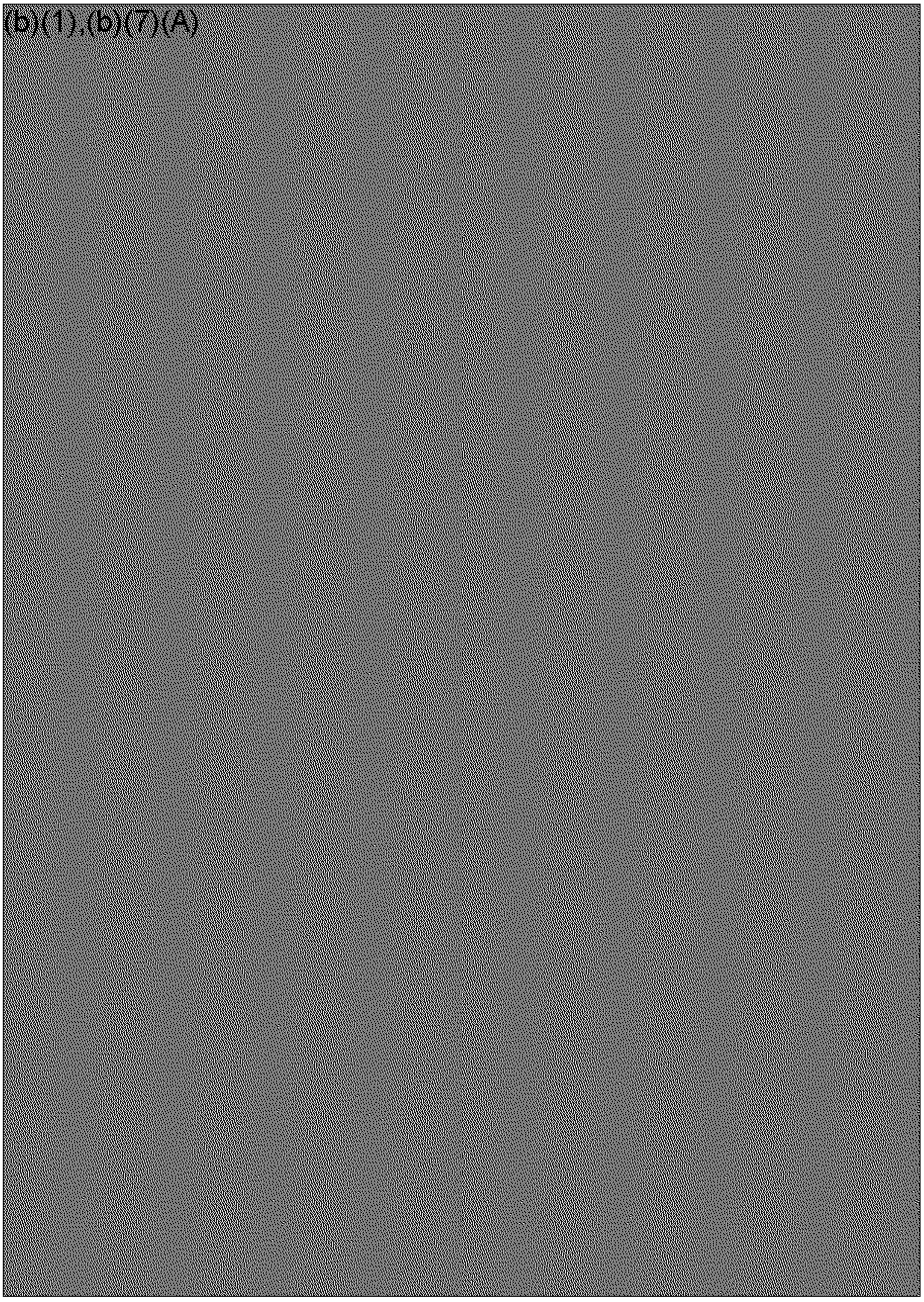
c. (U) **Training**

(b)(5)

d. (U) ***Operations, Combat and Capture***

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)



(b)(1)

e. (U) **Organizational Affiliations**

(b)(1)

(b) (U) U.S. Department of Homeland Security (DHS) reported Gulbuddin Hikmatyar founded Hezb-e-Islami Gulbuddin (HIG) as a faction of the Hezb-e-Islami party in 1977, and it was one of the major Mujahedin groups in the war against the Soviets. DHS also reported HIG has long-established ties with Usama bin Laden. DHS further reported HIG has staged small attacks in its attempt to force United States troops to withdraw from Afghanistan, overthrow the Afghan Transitional Administration, and establish a fundamentalist state. (DMO-2)

f. (U) **Individual Affiliations**

(b)(1)

(b)(1)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1),(b)(7)(A)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 968, identified herein as enclosure (5). There were no other matters submitted on behalf of ISN 968.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration.** (b)(5)
(b)(5)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)

Department of Defense
Office for the Administrative Review
of the Detention of Enemy Combatants (OARDEC)
at U.S. Naval Base Guantanamo Bay, Cuba
1010 Defense Pentagon, Washington, D.C. 20301-1010

~~SECRET//NOFORN~~
ACTION MEMO

FOR: Designated Civilian Official

FROM: Director, OARDEC 15 1/2/08

SUBJECT: **ADMINISTRATIVE REVIEW BOARD ASSESSMENT AND RECOMMENDATION ICO ISN 975 (AFGHANISTAN)**

- Subject ARB was held on 07 December 2007 resulting in a unanimous recommendation to (b)(5) based on the following:

  - Threat Assessment: (b)(5)
  - Intelligence Value:
  - Other Factors:

- Intelligence inputs used in the ARB's determination of this EC's case include:

  - (b)(1)
  -
  -
  -

- Agency assessments follow:

DASD-DA	(b)(5)
CIA	
FBI	

- The Legal Sufficiency Review (Tab A) and the Presiding Officer's Assessment and Recommendation (Tab B) with enclosures are attached.

RECOMMENDATION: That the DCO (b)(5)

(b)(5) (Detain) _____ 1-4-08

(b)(5) Transfer _____ Release_____

Attachments:

Tab A OARDEC ASJA Legal Sufficiency Review
Tab B Presiding Officer's Assessment and Recommendation

~~SECRET//NOFORN~~

(U) CLASSIFIED RECORD OF PROCEEDINGS AND BASIS FOR ADMINISTRATIVE REVIEW BOARD DECISION FOR ISN 975

1. (U) Introduction

a. (U) An Administrative Review Board (ARB) was held pertaining to the subject Enemy Combatant (EC). In reaching the ARB's conclusions and recommendations, the ARB considered both classified and unclassified information. The following record of the proceedings presents the factors the ARB used in making its recommendation.

2. (U) Synopsis of Proceedings

a. (U) The EC chose to attend, and consequently the Board convened with the EC present.

b. (U) The Designated Military Officer (DMO) presented the Unclassified Summary in both written and oral form.

c. (U) The Assisting Military Officer (AMO) presented the Notification of the Decision of an ARB as Exhibit EC-A, identified herein as enclosure (2). The AMO then presented the Enemy Combatant Election Form as Exhibit EC-B, identified herein as enclosure (3). Exhibit EC-B indicated the EC wanted to appear personally in the ARB Proceedings and wanted to respond to each statement of information in the Unclassified Summary after its presentation.

d. (U) The ARB confirmed that a translator who spoke the same language as the EC was present during the AMO's interview. Additionally, the ARB confirmed the Unclassified Summary of Evidence was read and translated to the EC, and the EC understood the process.

e. (U) The EC responded to each statement in the Unclassified Summary and the ARB asked additional questions based upon his responses. Additionally, the EC made a statement at the end of the proceedings. All EC testimony and comments are included in enclosure (6).

f. (U) The unclassified portion of the proceedings was adjourned. The ARB convened the classified session and the DMO presented the Classified Summary. The ARB panel members reviewed the classified exhibits and then closed the session for deliberation.

g. (U) The ARB has complied with the Detainee Treatment Act of 2005. In making a determination of status or disposition of this detainee, the ARB has assessed, to the extent practicable, whether any statement derived from or relating to this detainee was obtained as a result of coercion; and the probative value, if any, of any such statement. In addition, the ARB considered any new evidence that became available relating to the enemy combatant status of this detainee.

3. (U) Summary of Information Considered

a. (U) The ARB reviewed the ARB 2 package.

b. (U) The following government agency and command assessments were considered by the ARB and are summarized below. The specific agency and command assessments are included herein within enclosure (8).

(1) **(U) Deputy Assistant Secretary of Defense for Detainee Affairs (DASD-DA)**

(b)(1),(b)(5)

(2) **(U) Central Intelligence Agency (CIA)**

(b)(1),(b)(5)

(3) **(U) Federal Bureau of Investigation (FBI)**

(b)(5),(b)(7)(A)

(4) **(U) Criminal Investigation Task Force (CITF)**

(b)(1),(b)(5),(b)(7)(A)

(5) **(U) Joint Task Force Guantanamo (JTF-GTMO)**

(b)(1),(b)(5)

(6) **(U) U.S. Southern Command (USSOUTHCOM)**

(b)(1),(b)(5)

(7) **(U) Office of Military Commissions (OMC)**

(b)(1),(b)(5)

c. (U) After review of all attached exhibits the ARB disregarded DMO-26 because it did not relate to the EC and was irrelevant.

4. (U) Primary Factors (Including Intelligence Value and Law Enforcement Value of the Enemy Combatant)

(U) The ARB considered the above agency and command assessments and the following key indicators in the ARB's threat and intelligence assessment of the EC. An "*" denotes information from exhibits not used in the previous year's ARB.

a. (U) **Recruitment**

(b)(7)(A)

(b)(5)

b. (U) **Travel**

(b)(1)

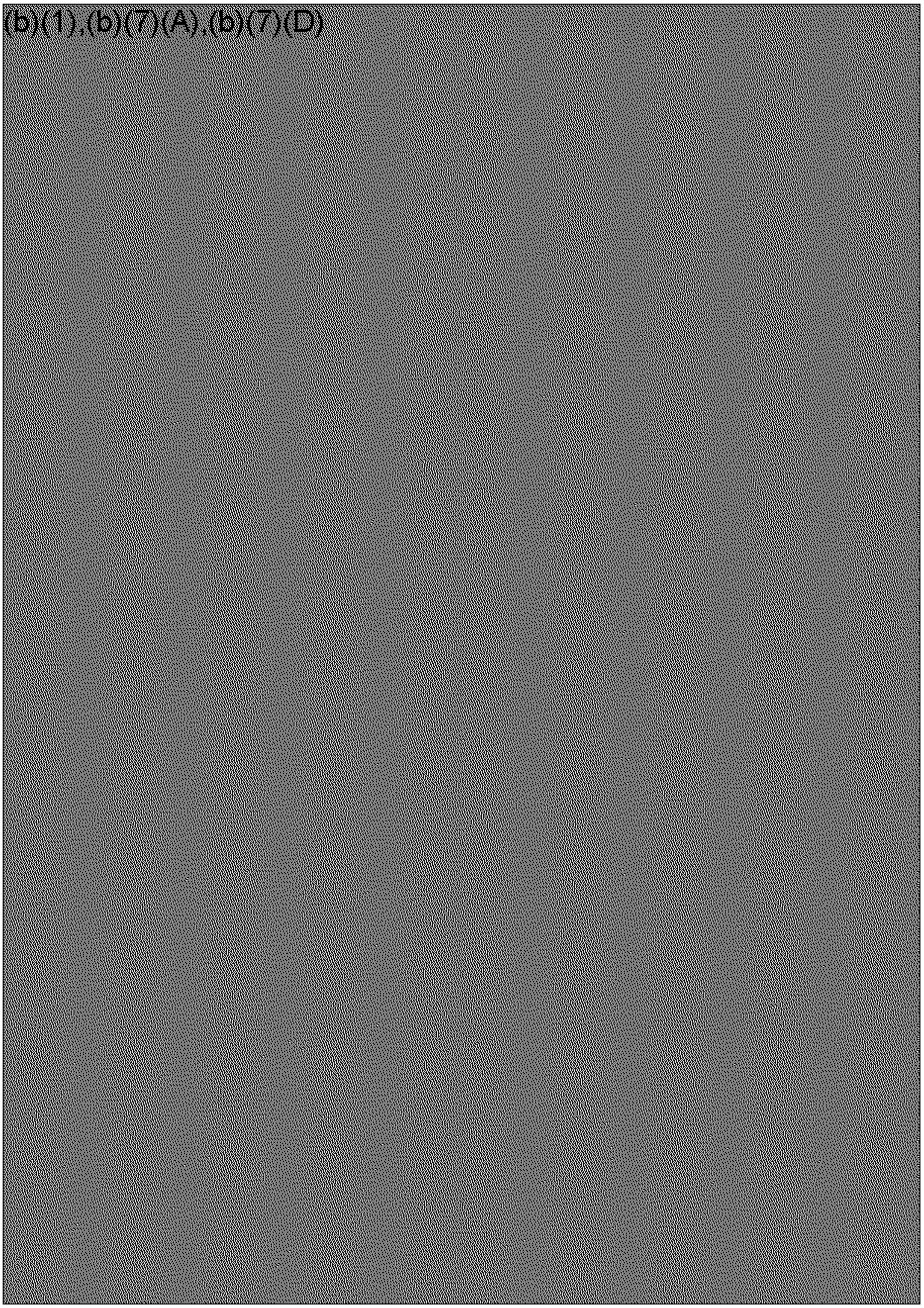
c. (U) **Training**

(b)(1),(b)(7)(A)

d. (U) **Operations, Combat and Capture**

~~SECRET//ORCON/NOFORN~~

(b)(1),(b)(7)(A),(b)(7)(D)



~~SECRET//ORCON/NOFORN~~

(b)(1),(b)(7)(D)

e. (U) **Organizational Affiliations**

(b)(1),(b)(7)(A)

f. (U) **Individual Affiliations**

(b)(1)

(i) (U) U.S. Department of Homeland Security (DHS) reported that Gulbuddin Hikmatyar founded Hezb-e-Islami Gulbuddin as a faction of the Hizb-e-Islami party in 1977. DHS also reported Hizb-I Islami Gulbuddin was one of the major Mujahedin groups in the war against the Soviets and has long-established ties with Usama bin Laden. DHS further reported that in the early 1990s, Hikmatyar ran several terrorist training camps in Afghanistan and was a pioneer in sending mercenary fighters to other Islamic conflicts. Hikmatyar offered to shelter Usama bin Laden after the latter fled Sudan in 1996. (DMO-4)

g. (U) **Behavior**

(b)(5)

h. (U) **Other Information**

(b)(1),(b)(7)(A)

i. (U) **Factors in Support of** (b)(5)

(b)(1),(b)(7)(A)

(b)(1)

5. (U) Third Party / Home Country Statements

a. (U) The EC is a citizen of Afghanistan. The ARB considered the habeas counsel's ARB submission material submitted on behalf of ISN 975, identified herein as enclosure (4). There were no other matters submitted on behalf of ISN 975.

6. (U) Consultations with the Administrative Review Board Legal Advisor

(b)(2)

7. (U) Conclusions and Recommendation of the Administrative Review Board

a. ~~(S//NF)~~ **Threat Level**. The EC poses a (b)(5) due to the following factors:

(b)(1)

b. ~~(S//NF)~~ **Intelligence Value**. The EC is of (b)(5) due to the following factors:

(b)(1)

c. ~~(S//NF)~~ **Detainee Treatment Act Consideration**. (b)(5)

(b)(5),(b)(7)(D)

d. ~~(S//NF)~~ **Recommendation.** (b)(5)

8. (U) Board Members' Voting Results

a. (U) The Board reached a unanimous decision.

(b)(3):10 USC §130b,(b)(6)